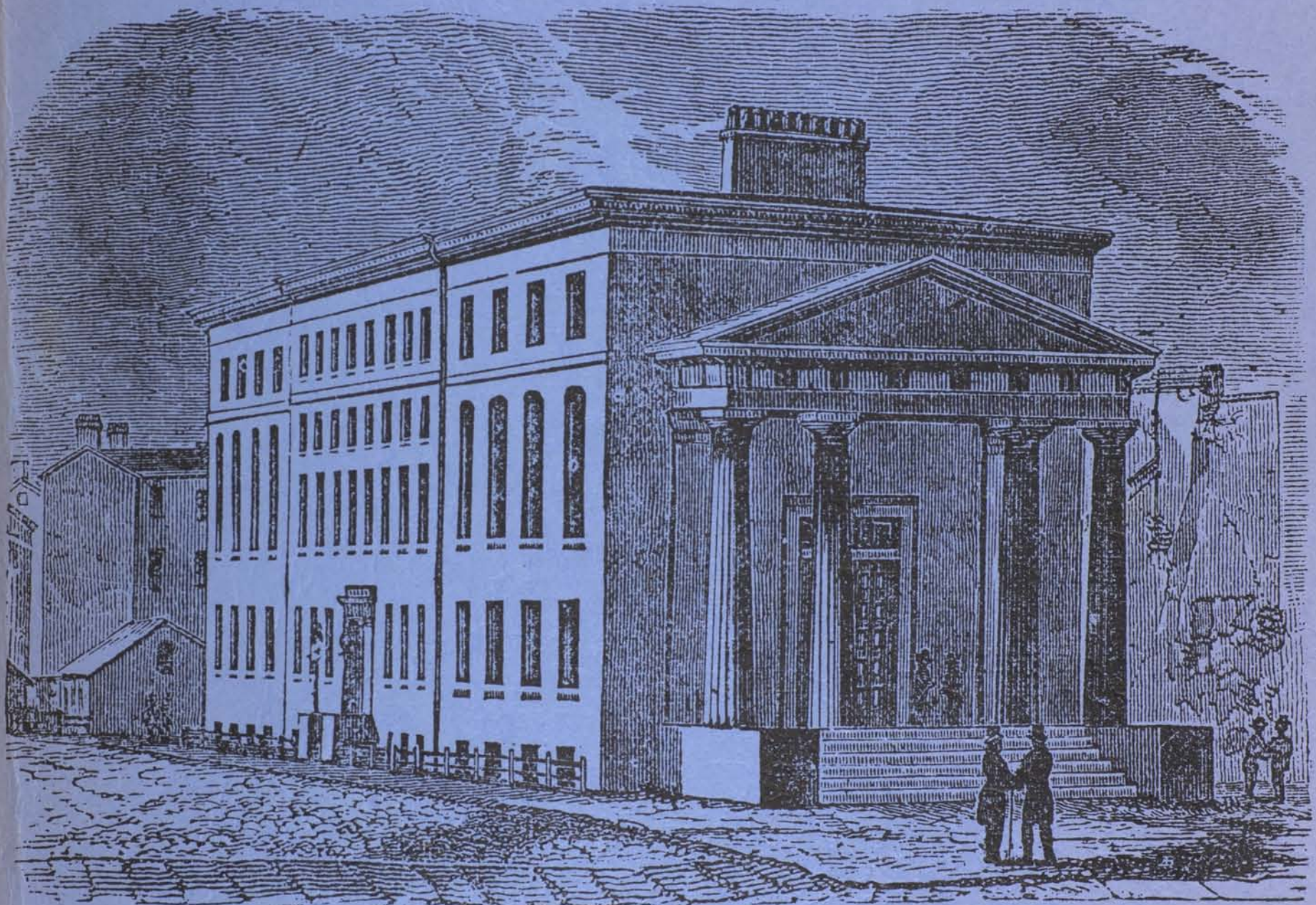


The Massachusetts Courts



View of the Court House, Court Square.

State Library of Massachusetts
State House, Boston
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HIGHLIGHTS OF THE NINETEENTH ANNUAL REPORT

As of June 30, 1975

The Massachusetts Legislature passed a bill allowing the phaseout of special justices and part-time justices in the District Courts by 1979 (p. 20).

In the Supreme Judicial Court the average number of days from entry to decision increased 29% from 182 to 235 days. The caseload increased 38% from 194 opinions to 268 and 23% from 266 cases entered or transferred from the Appeals Court to 327 (p. 30).

The caseload of the Appeals Court mounted with alarming speed after adoption of the Rules of Appellate Procedure effective July 1, 1974, from 439 cases in 1974 to 875 in 1975, an increase of 100%.

The Superior Court adopted a number of short-term programs to reduce the number of pending criminal and civil cases in various counties. Important progress was made on development of the Criminal Case Management System. Other programs encompassed better jury utilization in Suffolk County, crash work on the civil docket in Berkshire County, summer criminal sessions in Suffolk County, use of masters and conciliators for settlement wherever possible, and a law school student internship program with five Massachusetts law schools (pp. 31-33).

Of great benefit to the Superior Court is passage of legislation allowing the recall of retired Superior Court justices.

A count of all Superior Court criminal defendants as of June 30, 1975, showed 21,612 people, of whom over half (11,292) were on appeals from conviction in the District Courts.

An analysis of delay and speed in disposing of Superior Court criminal cases in seven counties showed a wide range, from a median of 63 days between indictment or complaint and disposition in Hampden County to a median of 571 days in Plymouth County. Norfolk, Suffolk and Worcester were also under a median of 180 days, while Essex and Middlesex were over that figure (p. 3).

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THE COMMONWEALTH OF MASSACHUSETTS

NINETEENTH ANNUAL REPORT

to the

JUSTICES OF THE

SUPREME JUDICIAL COURT

as of

June 30, 1975

John A. Fiske

Executive Secretary



*G. Joseph Tauro
Chief Justice*



*Paul C. Reardon
Associate Justice*



*Francis J. Quirico
Associate Justice*

MASSACHUSETTS

SUPREME JUDICIAL COURT

1974 - 1975



*Robert Braucher
Associate Justice*



*Edward F. Hennessey
Associate Justice*



*Benjamin Kaplan
Associate Justice*



*Herbert P. Wilkins
Associate Justice*

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JOHN A. FISKE
EXECUTIVE SECRETARY

JOHN F. BURKE
ROBERT S. BLOOM
ASSISTANTS

May 1, 1976

(617) 227-2841
OR
(617) 742-9250
EXT.

TO THE HONORABLE JUSTICES OF THE SUPREME JUDICIAL COURT:

There follows the Nineteenth Annual Report of the Executive Secretary to the Justices of the Supreme Judicial Court, as of June 30, 1975. The report, written pursuant to G.L.c. 211, section 3F, describes the activities of this office and of the various Massachusetts courts and related agencies during fiscal 1975. While continuing much of the statistical and other material published in the previous editions of Public Document No. 166, this report contains several new features in order to give to all readers a quick and clear picture of the performance of the several Massachusetts courts during the past year.

On the inside front cover appears a summary of highlights. Graphs and charts are used to illustrate the trend in case volume in each court and in the costs of their operation. On page 7 there appears a bar graph showing the relative costs of each court and their sources of funds.

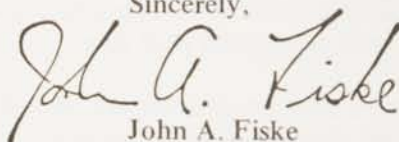
Wherever possible, terms referred to in statistical tables are defined so as to provide you and other readers with a sense of their significance. I fear, however, that the accuracy of many of the numbers reported may be challenged, and I look to them more for general trends than for actual inventories of work. For the first time the number of criminal defendants in the Superior Court has been reported by each of the 14 clerks; the result indicates that approximately half the criminal cases in that court are there on appeal from convictions in the district courts. Unhappily, the Institute for Judicial Administration has curtailed its Calendar Status Study, and thus for the first time since 1967 this report has no figures comparing the slowness of the Superior Court in various counties with other backlogged trial courts throughout the United States.

A thought about delay. A measure of delay is *not* the number of cases pending, simply telling how many cases are awaiting without indicating for how long. The better measure of delay in a criminal case is the *time* between indictment or complaint and disposition; in a civil case, the *time* between answer or readiness and disposition. This report includes for the first time an analysis of delay and speed in disposing of Superior Court criminal business in seven counties (page 2). Each county of the Superior Court is also ranked in terms of its success in reducing the number of pending cases reported in 1975 (page 68). Both these analyses show a wide discrepancy in performance among the several counties, and suggest that counties such as Worcester and Hampden are not in as bad shape as popularly believed and that counties such as Plymouth may be in even more dire straits than realized. There are just not enough Superior Court justices to go around, and because Plymouth County had five different months in 1975 without a Superior Court criminal session the people of that county had to suffer the disgraceful result: *541 days* to dispose of the median case in the April, 1974 sample of 163 cases.

The section on activities of the office is also new. Aided by funds from the Committee on Criminal Justice, the office has made significant progress in its data processing and planning capabilities. People trained in management and business skills can make great contributions to the administration of our courts, particularly when working closely with lawyers, clerks and judges familiar with the operating needs of courts.

With the exception of the discussion of the 1975 legislative year ending on January 5, 1976, the report is of June 30, 1975. Like much of the case activity it describes, the report is late. I had hoped to have it printed and distributed by the end of calendar 1975, but even as of this late date some of the information traditionally included on the costs of the courts is not available to this office. The speed with which information on the performance of our courts is furnished to judges and the public is an important part of its value. This office looks forward to improving the timeliness and usefulness of annual reports to come.

Sincerely,

A handwritten signature in dark ink, reading "John A. Fiske". The signature is fluid and cursive, with the first name "John" and last name "Fiske" being more prominent than the middle initial "A.".

John A. Fiske
Executive Secretary

ACTIVITIES OF THE OFFICE

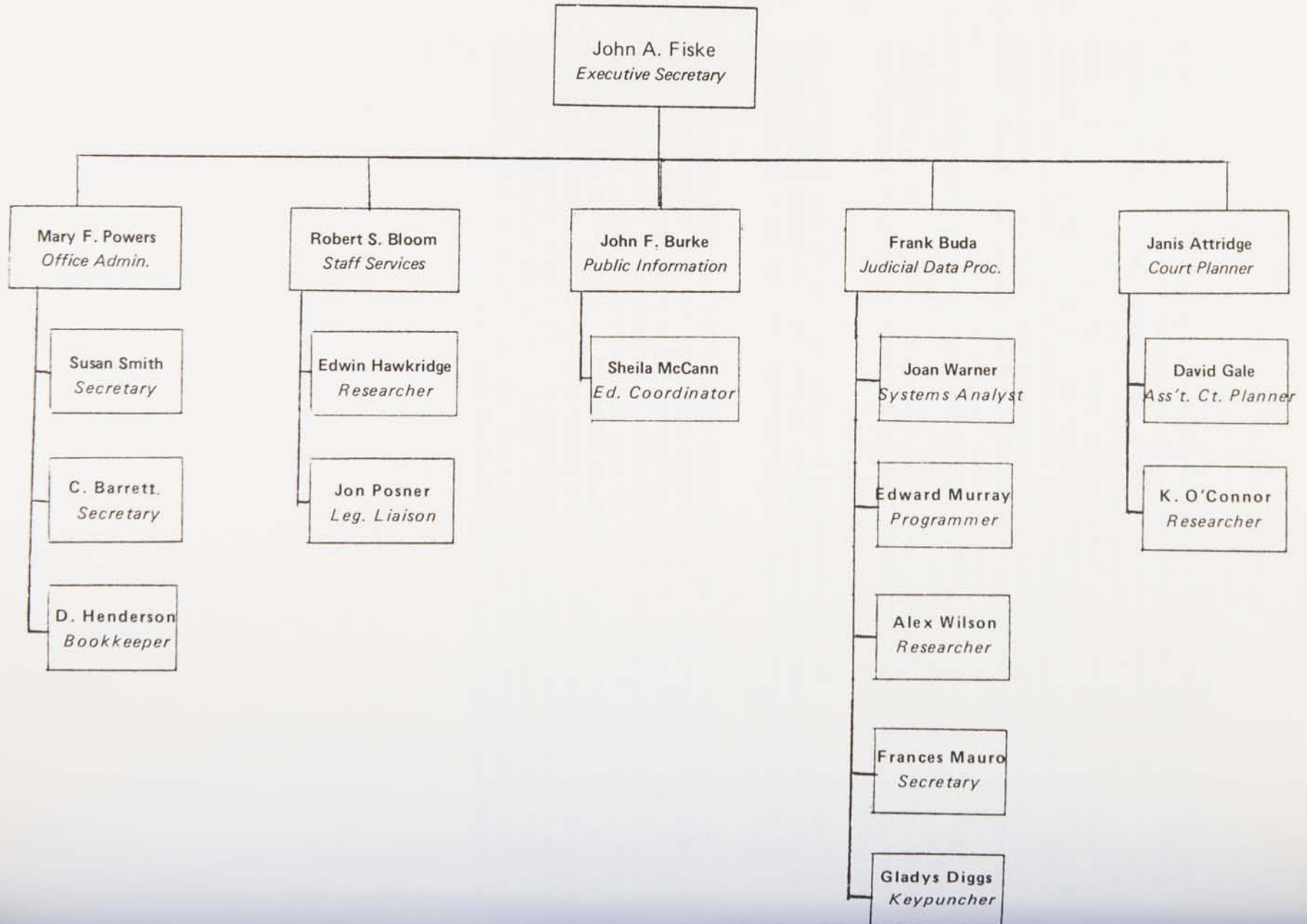
Fiscal 1975 was a year of significant change for the office. Death came to Frederick Meuse on March 11, 1975, thereby removing from us the one person who had served the courts in many ways since the creation of the office in 1956. Robert Bloom became an assistant executive secretary on July 1, 1974, reflecting the value of the LEAA funded project to bring people with management and legal ability into the office. David Gale and Janis Attridge were hired upon graduation from the Harvard Business School: the work of the former graced the Eighteenth Annual Report and contributed much to an understanding of delay on the criminal side of the Superior Court; the latter spent much of her early months in the office helping staff members of the various courts to develop a plan for better use of LEAA funds in 1976.

To support the energetic work of the Criminal Case Management System Committee of the Superior Court, Frank Buda was hired in the fall of 1974 and became on June 30, 1975 the Director of Judicial Data Processing. All members of the office continued to lean on John Burke in one way or another for his knowledge of and general counsel concerning the many problems and strengths of our courts.

As of June 30, 1975, the office consisted of 15 people, ten of whom were funded through grants from LEAA to improve the management of our courts through planning, data processing, judicial education and general management. The organization chart on page iv shows the status of the office as of that date.

The central focus of the office was on performing useful services for various courts while developing an efficient organization. The wide scope of the work done with various courts is described throughout the report; in short, our activities touched on every aspect of court administration from case management to personnel systems to complaints about the operation of the courts to budgets and facilities. One of our most useful services was helping to support the work of the Judicial Conference Committee on Legislation by drafting, reviewing and guiding approximately 30 systemwide bills through a process of adoption by the Judicial Conference, thereby presenting to the Legislature with a cohesive voice the views of this body concerning important legislative action affecting the court system. The passage of phaseout and recall legislation during calendar 1975 bear witness to the validity of this team effort by so many in the courts, legislature, executive, bar associations and citizen groups.

ORGANIZATION OF THE OFFICE OF THE EXECUTIVE SECRETARY
as of June 30, 1975



Administration in the Courts

An Act declaring void certain pretended judgments given in the Town of *Boston*, between the Nineteenth Day of *April*, in the Year of our Lord, one Thousand seven Hundred and Seventy-Five, and the Seventeenth Day of *March* next following.

*W*HEREAS between the nineteenth day of April, in the year of our Lord, one thousand seven hundred and seventy-five, and the seventeenth day of March next following, and whilst the town of Boston was in the possession of the British troops, and the impartial administration of justice was obstructed, certain pretended judgments were rendered against divers persons who had left the said town, and sought the protection of their country; and such proceedings have been had thereon as may greatly vex and injure many good citizens of this Commonwealth, unless the same be declared null and void: Preamble.

I.

Pretended judgments rendered null and void.

I. Be it therefore enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That all such pretended judgments rendered in the town of *Boston*, between the nineteenth day of *April*, in the year of our Lord, one thousand seven hundred and seventy-five, and the seventeenth day of *March* next following, by any persons pretending to constitute any Superior Court of Judicature, Court of Assize, or Court of General Goal Delivery, or Inferior Court of Common Pleas for the county of *Suffolk*, and which have not been heretofore provided against by law, and all proceedings had thereon, or by the authority of the same, be, and hereby are declared to be null and void, and shall be so deemed, taken and known.

[This act passed November 29, 1785.]

COURT MANAGEMENT

"All power residing originally in the people, and being derived from them, the several magistrates and officers of government, vested with authority, whether legislative, executive or judicial, are their substitutes and agents, and are at all times accountable to them." Massachusetts Declaration of Rights, Article V, First Part (1780).

The accountability of our public officials, and our courts, is not a new concept, nor is the application of modern techniques of management to our courts for this purpose. Our management efforts are traceable to the English Judicature Act of 1873 and in Massachusetts to the creation by the Legislature in 1925 of the Judicial Council and in 1956 of the Office of the Executive Secretary. By placing emphasis on the gathering of information and the making of recommendations, the Massachusetts Legislature recognized the need to know what is happening in the courts, the need for a management overview.

In 1975 the Massachusetts courts employed over 6,000 people in over 100 courthouses under 417 separate budgets totalling about \$99,000,000 from county, state and federal funds.

Many different courts and court systems are involved in these statistics. While there is in Massachusetts no centralized management of these diffuse courts other than that provided through the general superintendence of the Supreme Judicial Court and the coordinating efforts of the Judicial Conference and this office, there are many levels of management presently occurring in our courts. Clerks, for example, are becoming increasingly involved in the management of the flow of cases in addition to their traditional role of keeping the papers of the court. Judges are attending courses at the National College of the State Judiciary in basic principles of management. Probation management systems are being developed. As personnel, budgets, facilities, caseload management and other issues become increasingly important to the success of the courts in meeting their public obligations, this office is only one catalyst for management activity. New courts such as the Appeals Court, the Boston Housing Court, the Hampden County Housing Court and the Bristol County Juvenile Court have made successful use of many new and innovative scheduling, budgeting, probation and community involvement techniques. Older courts such as the Superior Court have continued the development of their plans to implement case management and other new systems to make best use of their limited resources.

"Courts need managers! Judges need more time for judging! Judges without systems, organization and expert staffs are a bit like an army without leaders or discipline!" When Chief Justice Warren Burger wrote these words, he summarized the management efforts of courts throughout America and Massachusetts to improve their performance. We in the courts here are ambitious for these improvements.

A good example of our management ambitions is the Court Case Management System (CCMS) of the Superior Court. With only 46 judges and other scarce resources, the court needs a modern system to manage its pending caseload of over 20,000 defendants. The proposed system would provide in automated form timely information on every case to all involved in Superior Court criminal business (judge, district attorney, clerk, probation officer and defense counsel) and handle operational aspects such as preparing notices to witnesses and parties.

After an intensive effort by a committee of judges working with clerk and district attorney representatives, CCMS progressed in 1975 to the point where a draft specification was turned over to the consulting firm familiar with its concepts and operating details preparatory to a formal Request for Proposals. There is no management reason why a criminal case should be continued eleven times before disposition, or why a busy judge should spend over half his or her time continuing the cases called before him or her. This Case Management System, funded by the Law Enforcement Assistance Administration and the Committee for Criminal Justice, will provide much needed case management for the benefit of court, clerk, district attorney, defendant, jurors, witnesses and the general public.

In terms of accountability, there is great need for such systems. Many officials in our court system have different levels of accountability, and may be pulled at once in more than one direction by conflicting policies. Elected clerks, for example, may for some purposes be accountable to their court or to the Supreme Judicial Court; they are of course accountable most directly to the public every election; they are responsible to their county commissioners and the legislature for their budgets; and in addition there are various other public and private bodies competing for their attention.

In attempting to reduce some of this confusion, the program and mission of this office is ambitious. Charged by the Justices with the job of developing an effective state court administrative office, our activities this year have aimed at coordinating and supporting the many diverse and often separate management efforts of many people in the courts. This coordinating and support emphasis will continue to characterize all our efforts. It is the clerks, the registers, the judges, the probation officers, the court officers who are "in the trenches"; it is they to whom the public first looks for accountability and it is they, and through them the public, who can benefit from the support, information, educational programs, management systems, planning and coordination which this office should offer.

DELAY (AND RELATIVE SPEED) IN COURTS

Those who have read any prior reports of this office or of the Judicial Council or any history of the Superior Court know that delay is part of the Superior Court. Born in 1859 to resolve problems of delay in the Court of Common Pleas and other courts, the Superior Court has battled with delay on the civil or criminal side for 117 years. Plagued by case demands far in excess of available judge power, the court has resorted to various measures to dispose of its business.

Fiscal 1975 brought some relief in some counties. Management techniques of some judges resulted in the dismissal of ancient criminal cases. Masters and conciliators were used with some success to advance the time of settlement of civil cases which would have otherwise required the threat of a jury or court trial to settle. Pre-trial conferences were used with varying success in Suffolk, Hampden and other counties. District attorneys working closely with the court were able to expedite the handling of criminal business in some counties, thereby reducing the number of continuances and making better use of available judge time as well as that of the bar, clerks, jurors, witnesses and the public.

Two events occurred in 1975 of great potential benefit for the reduction of Superior Court delay. The legislature passed a bill endorsed by the Judicial Conference allowing the recall for up to two years of Superior Court judges required to retire at age 70, thereby increasing available resources. To improve the management of all judicial resources, Chief Justice McLaughlin appointed a committee of Superior Court judges to supervise the development of

the Court Case Management System and the committee, working with a district attorney and clerk representative, staff from this office and the Superior Court and a consultant, was able to review and revise in virtually complete form a specification suitable for a competitive bid procedure to follow this coming year.

For the first time this office made an effort to measure delay in the processing of criminal business in the Superior Court. A seven-county sample was analyzed by David Gale, a staff assistant, in cooperation with the National Center for State Courts. In each county the clerk provided the sample by giving us all cases disposed of in one month, which we then analyzed to determine the number of days between the indictment or appeal from the district court conviction and the time of disposition. The median number of days in the sample were, in the following counties:

Essex	387
Hampden	63
Middlesex	257
Norfolk	159
Plymouth	571
Suffolk	171
Worcester	90

Thus some counties appear to be going rather well, and to be relatively speedy in their provision of trials to criminal defendants. Other counties would be devastated by a speedy trial rule such as that passed by Congress in 1975 or adopted by the New York Court of Appeals in 1975, both requiring trials to be provided within 180 days of indictment on pain of dismissal. While the sample is open to question for various reasons (the sample may not be from a representative month, and different clerks have different definitions of a disposed of case, for example), the Massachusetts public and court officials can begin to learn by analysis some facts about this much-lamented and seldom analyzed subject. More information is available on this subject from the office of the Chief Justice of the Superior Court or from this office.

Delay in the other trial courts (Housing, Juvenile, District, Probate and Land) has not risen to anywhere near the chronic level of the general trial court, the Superior Court. In some counties it has taken over six months to reach a contested divorce case for trial in the Probate Courts, but that delay has been more the exception than the rule and has been the subject of intensive corrective efforts by Chief Judge Podolski and the Probate Courts. Despite the enormous volume of business in the district courts (over 500,000 civil and criminal entries each year), there is little if any delay in disposing of this business in the 72 courts and the Boston Municipal Court. The same is true of the Housing Courts and the Juvenile Courts, for the most part.

Danger signs continue to develop on the appellate level. In the Supreme Judicial Court, the days between entry and decision increased by 29% from 182 to 235. The increase is no doubt based on the increase of 38% in the number of opinions from 194 to 268 and the increase of 23% in cases entered or transferred from the Appeals Court. The graph on p. 30 shows this trend in the perspective of ten years.

The number of direct entries in the Appeals Court increased 100% from 439 cases in 1974 to 875 in 1975. Despite this increase in caseload, the average number of days from entry to decision decreased 13% from 288 days in 1974 to 251 days in 1975. This decrease was due, in part, to procedural measures adopted to address the volume of work.

Documentation, analysis and measurement of delay in our courts is very important. Only by being aware of the extent and nature of delay in various courts can one begin to examine its causes and propose methods to resolve particular problems. Efforts such as the Court Case Management System of the Superior Court serve to focus the attention of those involved in litigation, and in their assiduous work to reduce delay lie our hopes for prompter case disposition.

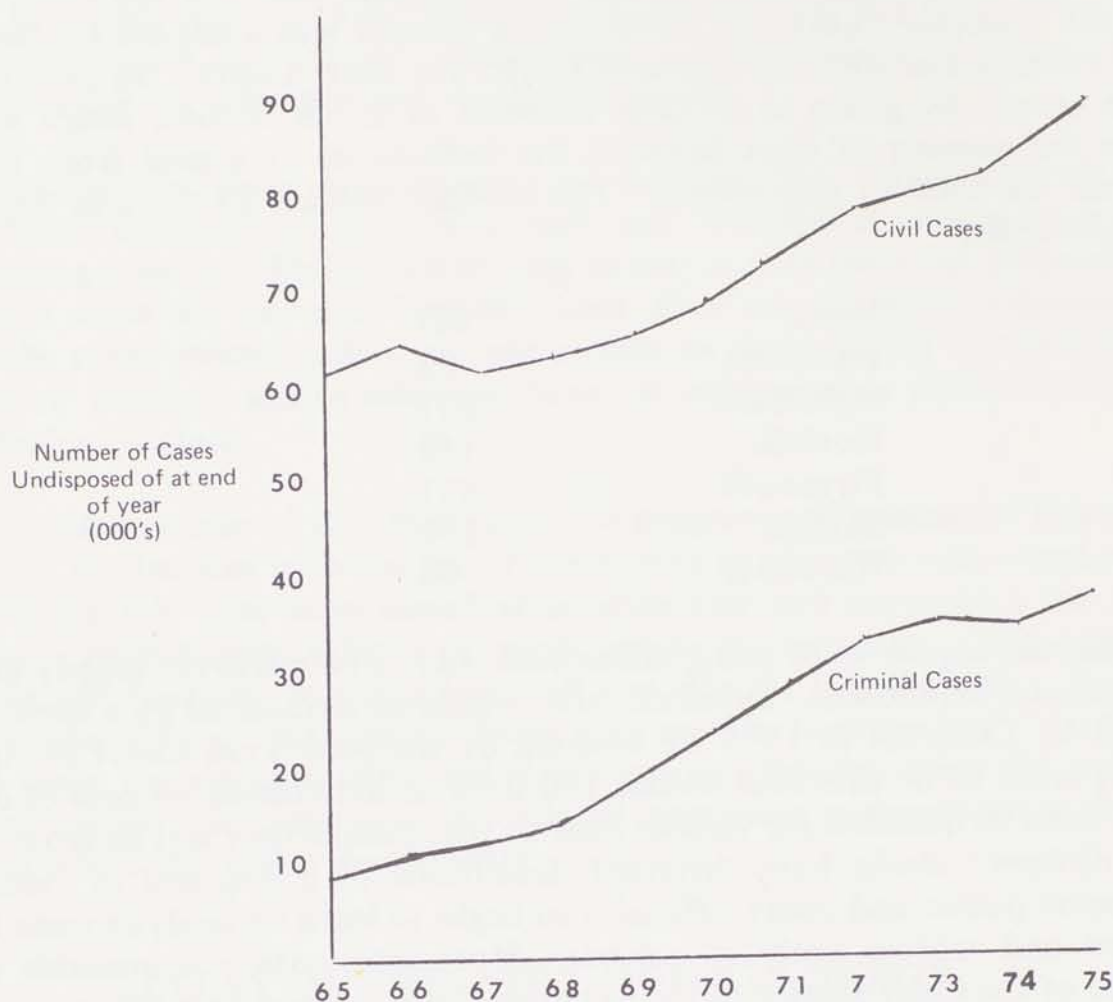


FIG. 1: Civil and Criminal Backlog in the Superior Court (1965-1975).

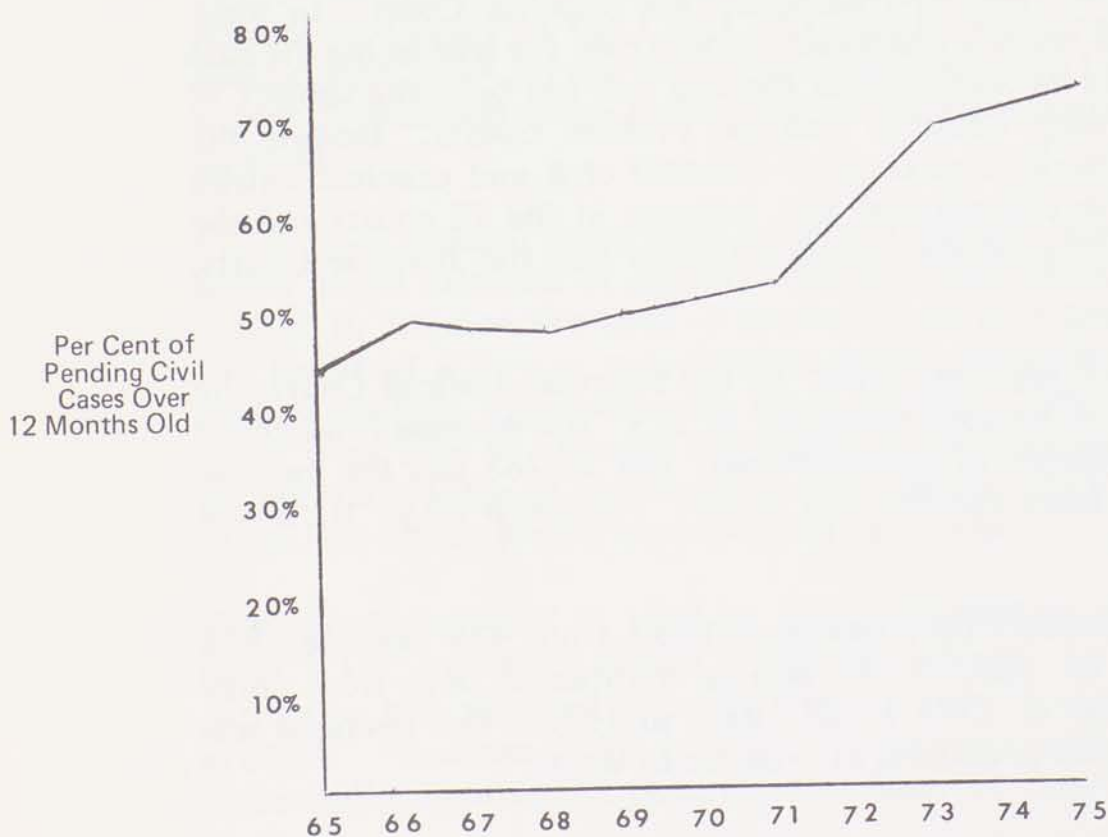


FIG. 2: Per Cent of Pending Civil Cases over 12 months old in the Superior Court (1965-1975).

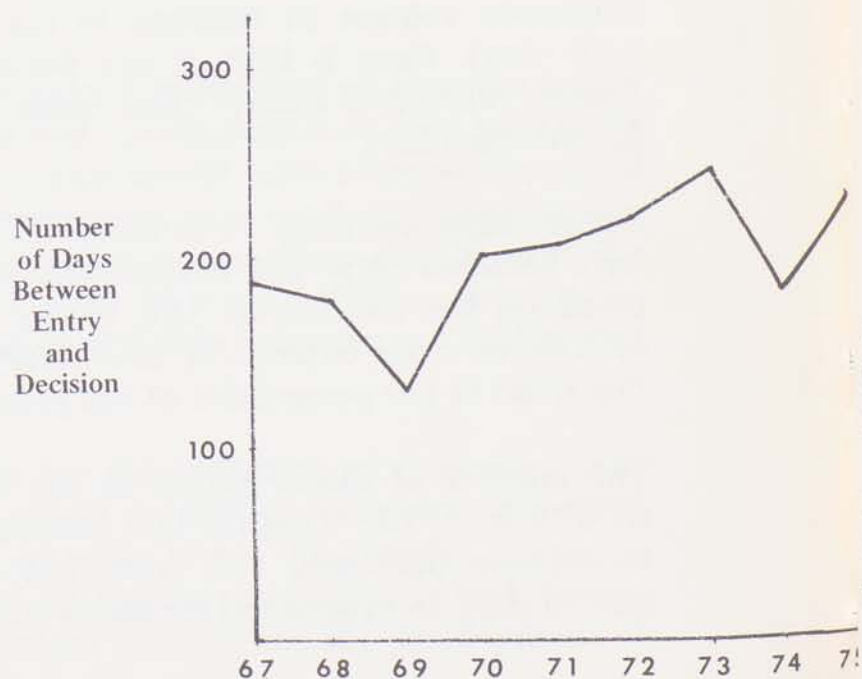


FIG. 3: Average Time Between Entry and Decision for Cases Appealed to the Supreme Judicial Court (1967-1975).

FINANCING THE COURTS

For the fiscal year beginning on July 1, 1974 and ending on June 30, 1975, total court expenditures for Massachusetts, from federal, state and county sources were 99.0 million dollars. This amount represents an increase of approximately 26% over the fiscal 1974 total of 78.4 million dollars. In fiscal 1975 the courts collected a total of 17.9 million dollars. Therefore, the "net" cost of court expenditures less revenues amounted to 81.1 million dollars, as compared to 63.5 million dollars for fiscal 1974, an increase of approximately 28%.

As illustrated by Fig. 4, court expenditures have steadily risen from 1960 to 1975. During this period the number of cases entered has also risen sharply. Taking into account the increasing inflation in these years, the approximate "cost per entry" in constant dollars for the entire court system is depicted in Fig. 5.

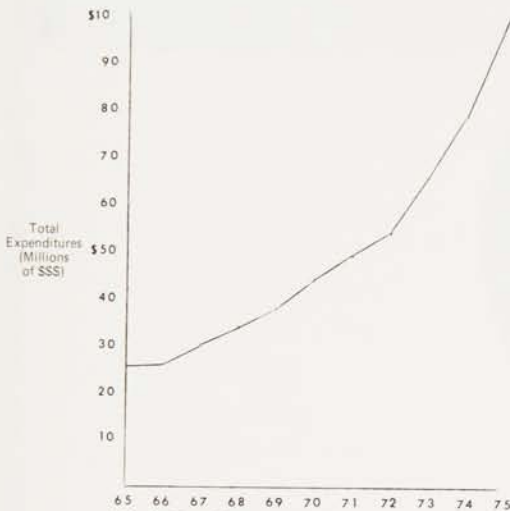


FIG. 4: Total Expenditures for all Courts in the Commonwealth (1965-1975).

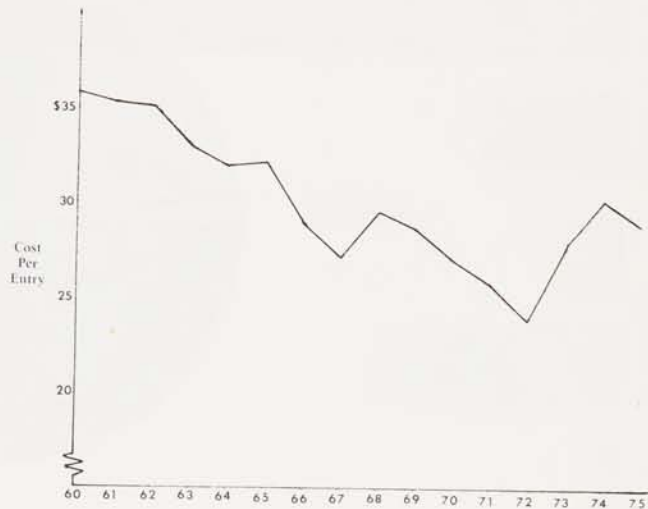


FIG. 5: Total Cost Per Entry in Constant Dollars* for the courts in the Commonwealth (1960-1975).

*See p. 55 for calculations.

As shown in Fig. 6, in 1975 the Commonwealth funded about 19% of total judicial costs; the fourteen counties funded about 78% of the total. Three per cent was funded by the federal government.

The total expenditures of the Commonwealth for the courts (\$18,568,730), amounted to 4/10ths of 1% of the total Commonwealth fiscal 1975 expenditures in all areas of state government (\$4,214,257,589).

Our courts presently prepare over 400 (four hundred) separate budgets each year for submission to state and various county authorities. It has long been recommended by this office and by many court organizations such as the American Judicature Society and the National Center for State Courts that Massachusetts adopt some form of unitary budgeting for the courts. This approach would require the Commonwealth to assume all operating costs of the courts and would relieve the counties of these expenses.

Had there been a system of unitary budgeting in effect in 1975, the Commonwealth would have spent approximately 2% of its total budget on the judiciary; the several counties, which in fiscal 1975 spent 33% of their total budget on courts, would have had no court expenditures other than possible capital expenses for courthouse construction or renovation.

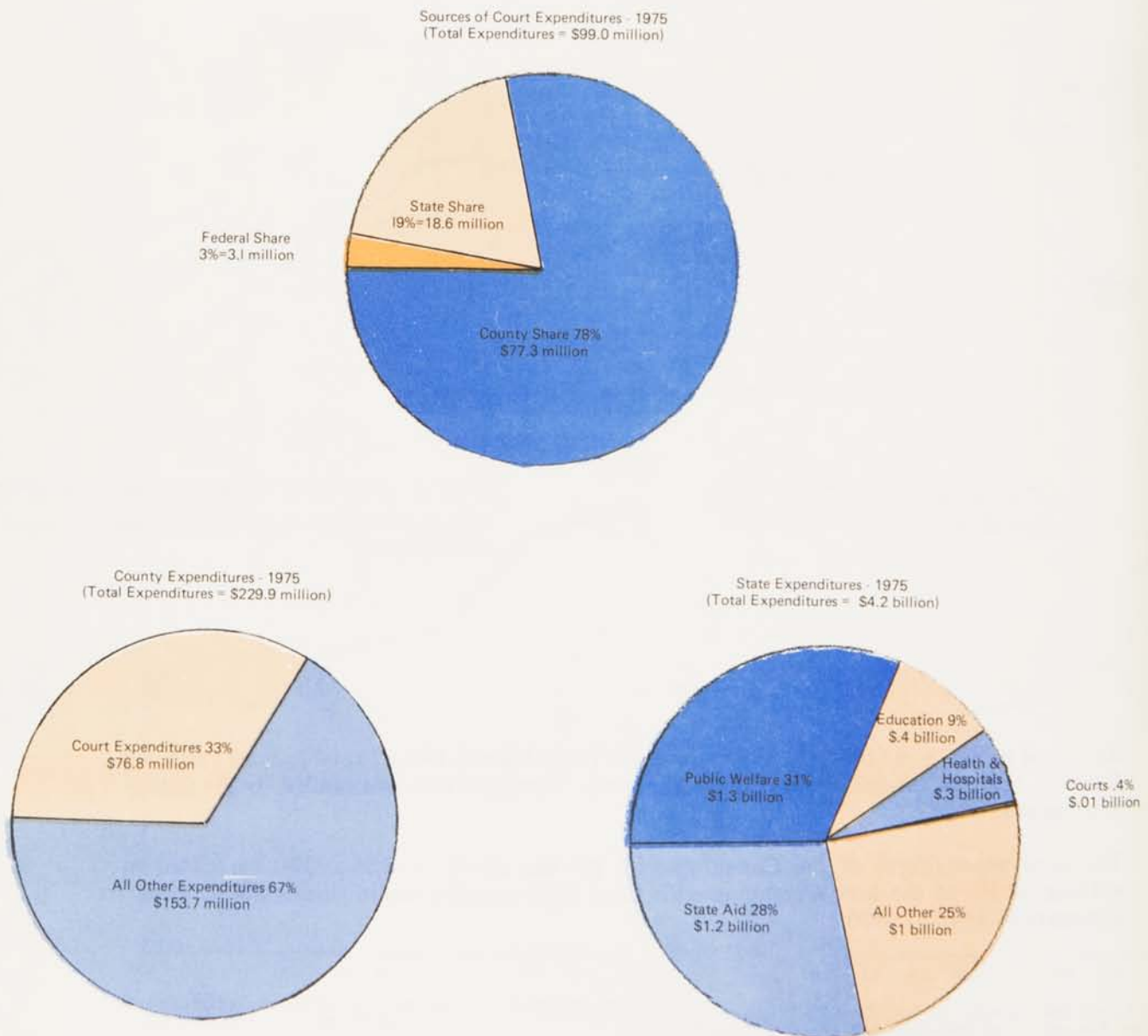
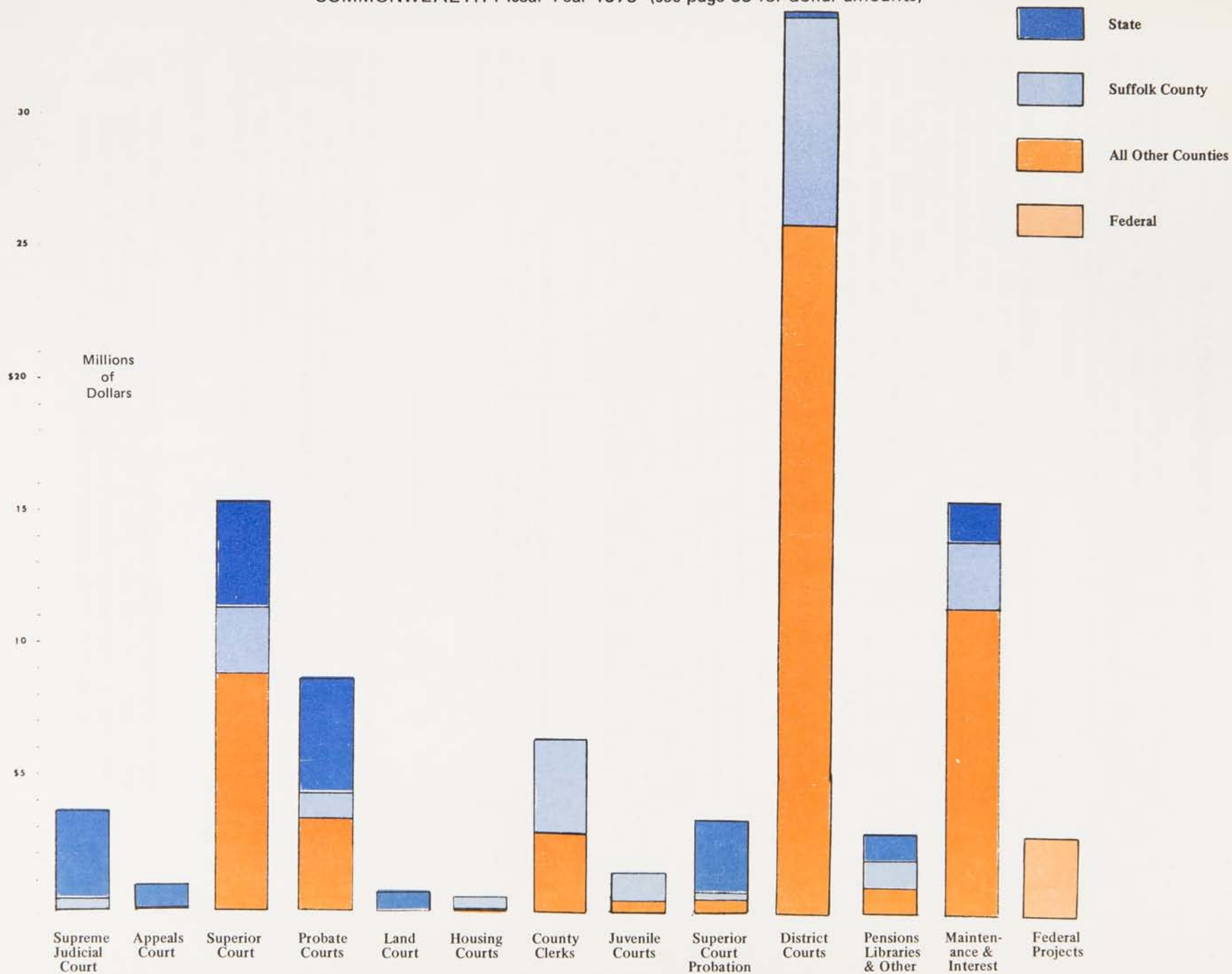


FIG. 7: ILLUSTRATION OF COURT, COUNTY, AND STATE EXPENDITURES.

FIG. 7: CHART ILLUSTRATING WHERE STATE, COUNTY AND FEDERAL FUNDS WERE SPENT IN THE COMMONWEALTH Fiscal Year 1975 (see page 55 for dollar amounts)



FACILITIES AND RECORDS STORAGE

It is obvious that many courts in the Commonwealth are at this time in desperate need of new or expanded facilities. Various courts and related agencies are in constant conflict with one another in seeking space. Courthouse security is frequently inadequate or nonexistent. Crowded offices hinder the efficient operation of even routine processes and shabby surroundings detract from the dignity of the courts.

It is hard to believe such facilities will be able to accommodate future caseloads. The machinery for a modern court system simply cannot function within a 19th or 18th century shell. The restored colonial settlement at Williamsburg Virginia proudly displays as a relic of our historical past a courthouse originally built in 1770. We in Massachusetts sometimes do not display our relics, but rather use them. The Superior Court still holds sessions in courthouses built in 1761 (Berkshire County), 1793 (Norfolk County), 1800 (Plymouth), 1805 (Newburyport), 1829 (New Bedford), 1830 (Barnstable), 1858 (Lawrence), 1858 (Dukes County), 1861 (Salem), 1880 (Suffolk County), 1887 (Fall River), 1889 (Brockton) and 1895 (Taunton). The condition of these facilities was accurately described by Chief Justice McLaughlin:

"There they stand. The citadels of justice in Massachusetts. If I were to describe their condition to you, you wouldn't believe me. Inadequate, ancient, seedy, in disrepair and lacking in every facility of modern convenience. If you want to confer with your client, find yourself a hallway. It is a tribute to the craftsmen of the era of the Civil War that they still stand. They contaminate justice, at least in the eye of the beholder. If there is any dignity in our justice, it is found within the folds of the black robe of the justice who sits upon the bench and the trial bar and the countless personnel who service our courts with difficulty but with dedication. There alone is found dignity in the administration of justice in our Superior Court." (Of Men and Buildings -- Crisis in Judicial Administration, 1970).

Study after study indicates the harm that such a physical facility does to the public attitude towards its courts. Since all our courthouses are not in equal disrepair, the best approach is to analyze every facility to determine those most in need and to develop a plan for their improvement.

National Center

As part of the comprehensive study of our courts requested by the Supreme Judicial Court and funded by foundation and LEAA grants, the National Center for State Courts has completed its study of all Massachusetts courthouses except the Suffolk County Courthouse. A booklet for each courthouse has been prepared describing the important characteristics of each building, lighting, layout, acoustics, space, condition of floors, walls, and ceilings and others. Later in 1975, the information contained in all of the reports will be analyzed and summarized for submission with recommendations to the Supreme Judicial Court.

A sample description follows:

The Chelsea Courthouse is a firetrap. The court occupies the second and third floors of a three-story building; the first floor houses the city police station. There is only one usable means of egress from the second floor of the courthouse to the street level. This condition is clearly a violation of two articles of

the applicable building code. In addition, there is a lack of fire extinguishers, sprinkler system and fire detection devices. In the event of fire, there is danger of loss of life, and at a lesser but still important level, the loss of court records, which are stored unprotected in the attic of the building.

The court is also plagued by noise from outside of the building. The major source of the noise is nearby Logan Airport. Situated directly under a frequently used landing approach, the building is subject to the roar of low altitude jets. The noise levels created by these jets are so excessive that all court and office functions are completely disrupted, sometimes for several minutes duration.

Another source of noise is the heavy traffic from the street adjacent to the Courthouse. This condition is exacerbated by the need for ventilation. Since most rooms are not air-conditioned, windows are opened by the court personnel and as a result noise levels in the rooms become excessive.

It is hoped that detailed reports such as this one will cause necessary improvements to be made by spotlighting the dreadful inadequacies of certain court facilities.

Suffolk County Courthouse Study

The federally funded study of court facilities in the Suffolk County Courthouse by Space Management Consultants, Inc. was completed last year and described in last year's annual report. (pp. 23-24) In order to continue the impetus for the successful implementation of the project recommendations, the Supreme Judicial Court obtained a supplementary grant. This continuation project, which began in February, 1975, consists of the following:

1. Revised and updated diagrammatic drawings of all floors in the Suffolk County Courthouse including alternative drawings for floors affected by the City of Boston's proposal to relocate city courts (Juvenile, Housing and Boston Municipal Courts) to a new site. (See report on Suffolk County Courthouse, *infra*.)
2. Schematic plans to 1/16th-inch scale of each floor in the Suffolk County Courthouse, including alternative plans of the floors affected by the City of Boston's proposal as stated in 1.
3. A model, based upon the schematic plans, structurally and functionally satisfactory for the needs of the Supreme Judicial Court to display and illustrate the program.
4. At the conclusion of the project, a brief narrative will be supplied of the effect of all changes since publication of the prior report, and including an analysis of the impact of these changes and the City of Boston's proposals upon the cost of suggested renovations and space reorganization.

It is anticipated that this supplementary project will be completed by September 30, 1975.

Court Records

In last year's Annual Report, it was stated that "if the Commonwealth substantially expands the State Records Center in the near future providing space for the court records, it is expected that the severe problems of record storage in the courts, to a great extent, will be solved..." Therefore, this office is pleased that the State Records Center has acquired new facilities at the former State Hospital in Grafton. Based on an inventory of court records taken in 1972, it can be stated that these facilities should be able to accommodate much of the foreseeable record storage needs of all courthouses in the Commonwealth.

As a result of the availability of the new Records Center, the Supreme Judicial Court promulgated the following order on June 25, 1975:

Any papers or records which have been filed or deposited in any court of the Commonwealth may be moved to the State Records Center, provided that the Executive Secretary of the Supreme Judicial Court approves. G.L.c. 221, § 27A, as amended by St. 1973, c. 705, § 3. Employees of the State Records Center designated by the Records Analyst shall be the legal custodians of all court papers and records maintained at said Records Center. The court clerk, register or recorder who has the statutory care, custody or control of any papers or records so moved shall retain control of said papers and records under such conditions as shall be agreed to by the Records Analyst and said clerk, register or recorder.

Because of a present shortage of available shelving at the State Records Center, the Office of the Executive Secretary will continue to approve the moving of records to the Center only on a priority basis. Also, any transporting of records to the State Records Center will require the appropriation of funds to cover the costs of moving, including labor, use of a truck and purchase of standard-size boxes.

Courthouse Construction or Renovation

There follows a brief county-by-county status report. A total of fifteen court buildings or renovations are currently planned or underway. In accordance with St. 1971, c. 1113, all projects are under the supervision of the Bureau of Building Construction.

Barnstable County

The County Commissioners report that the county has not engaged in any construction with respect to any courthouse facility during the period from July 1, 1974 to June 30, 1975.

Berkshire County

St. 1975, c. 268 authorizes the county to borrow up to \$1,000,000 for the purpose of acquiring the Berkshire Athenaeum property. The Athenaeum is now the Pittsfield public library and has become available because a new library is presently under construction and is expected to be completed before the end of 1975. It is the intention of the County Commissioners to remodel the old library for use by the Berkshire Probate Court and some other county agency, possibly the Berkshire Middle District Registry of Deeds. An architect has already drawn preliminary sketches for court use of the library building.

The new quarters for the District Court of Northern Berkshire, which were constructed in the new North Adams City Hall, were completed and occupied by the court in the autumn of 1974. The new quarters are reported to be sufficient to accommodate any court consolidation that might be effected in the Northern Berkshire area or to provide for trials by juries of six.

Bristol County

On February 28, 1975, the Judicial Conference of the Commonwealth considered the chronic problems created by the lack of adequate facilities for the Superior and Probate Courts in Bristol County. The Conference endorsed H. 2872, a bill for construction of a new centralized courthouse in Bristol County, with a suggestion that the bill be made mandatory rather than permissive. As of June 30, 1975, no action had been taken on the bill.

The County Commissioners have made surveys and appraisals of land adjacent to the Second District Courthouse in Fall River. The Commissioners seek to acquire the land for the expansion and renovation of the Second District Courthouse as authorized by St. 1972, c. 683, as amended by St. 1973, c. 291 and St. 1974, c. 273.

Dukes County

Although last year the County Commissioners anticipated a courthouse space problem in the near future, no steps have been taken to provide additional space for the Registry of Deeds, Registry of Probate, the district court clerk and attorneys meeting with clients. Several rooms in the courthouse were painted and, as soon as funds are available, a ramp for the handicapped will be provided.

Essex County

A \$400,000 exterior renovation of the Salem Superior and Probate Court buildings is expected to be completed by October of 1975. The County Commissioners are also authorized to expend \$4,750,000 for additions and further renovation of these buildings. Architectural plans are being drawn and the entire project is expected to be completed by January of 1978. Assistant Executive Secretary John Burke, at the request of the Justices and the Superior and Probate courts, has worked closely with county officials on this important renovation.

Now that exterior work has been completed on the Lawrence Superior Courthouse, plans for interior renovations are being prepared. The expected date of completion of the interior work has been changed from December, 1974, to December, 1975.

Architect's plans for two new courthouses for the Salem and Peabody District Courts are in final stages, and it is anticipated that both courthouses will be completed in September of 1977.

Renovations and improvements on the Second District Court (rented from the Town of Amesbury) and the Third District Court (rented from the Town of Ipswich) have been completed.

By September, 1975, a third courtroom will be added to the Central District Court of Northern Essex, in Haverhill, and an additional 31 parking spaces will be made available for the District Court of Southern Essex in Lynn.

The County Commissioners are negotiating for the purchase of a ten-year old building abutting the present District Court of Lawrence and Registry of Deeds. If purchased, the new building will be used to relieve badly crowded conditions at the Lawrence District Court.

Franklin County

At the courthouse in Greenfield, several attorneys' rooms have been converted into rooms for superior and district court probation officers. Extra space has also been made available for the District Attorney's office.

Hampden County

Due to labor and material delays, the anticipated completion date of phase one of construction of the new courthouse (Hall of Justice) in Springfield has been moved back from September, 1975, to January, 1976. When completed the new courthouse will contain twenty courtrooms: ten District, six Superior, and four Probate courtrooms. Phase two of the project will commence after the present Probate Court, Registry of Probate, and Registry of Deeds building is vacant. This building is to be demolished and the County Commissioners then expect to create a court plaza to enhance the front entrance to the new courthouse.

The present Superior Court building will be renovated at a cost of approximately \$1,500,000 and will provide facilities for the Hampden County Housing Court and the Springfield Juvenile Court. While this renovation is being completed, these two courts will occupy the old District Court building presently located on Broadway Street in Springfield.

The total budget for the entire Springfield court facilities project is \$15,000,000.

Hampshire County

The new Hampshire County Hall of Records in Northampton, containing the Registry of Deeds, the Registry of Probate, the Probate Court and the Hampshire County Cooperative Extension Service was accepted by the County Commissioners on January 2, 1975. Renovation of the old courthouse with an addition is continuing towards completion of the total project by approximately January of 1976. The courthouse addition will contain a state police investigators' room, three jury rooms, two district court rooms and a room for juvenile proceedings. Grand juries will have separate official rooms for the first time.

Middlesex County

A certificate of substantial completion for the notorious East Cambridge courthouse, which was occupied on April 1, 1974, was signed on June 24, 1975. The County Commissioners report that, as of June 30, 1975, \$45,000,000 had been appropriated for the project.

There is presently no other authorization for future court facilities work in Middlesex County.

Nantucket County

The Board of Selectmen has no plans for any changes in existing facilities (1965) which are considered to be adequate.

Norfolk County

The County Commissioners have authorized the preparation of plans and specifications (\$175,000) for a new Superior Courthouse. A two-story building at 614 - 18 High Street, Dedham, has been acquired to be renovated for county and court uses and a \$135,000 contract has been signed to construct a third probate courtroom in the Registry of Deeds Building.

A contract has been awarded for installing air-conditioning in the Wrentham District Court building.

Plymouth County

Groundbreaking for the new Wareham District courthouse is expected to take place in September, 1975; the Wareham District Court presently occupies space three days a week in a building adjacent to the Middleborough Police Department and three days a week in the Wareham Town Hall.

Additions and alterations to the Hingham District courthouse, built in 1937, are expected to be completed in September of 1975.

Suffolk County

On February 28, 1975, the Judicial Conference of the Commonwealth endorsed H. 1929 of 1975 which provides for state assumption of the Suffolk County Courthouse, 30% of the costs of which are now paid by the state. Enactment of H. 1929 would provide a long-delayed solution to the chronic facility problems in the badly overcrowded Suffolk County Courthouse. Acting under a Federal Court order, the City of Boston is now in the process of preparing plans for construction of a replacement facility for the Charles Street Jail. As part of this planning process, the City has agreed to build a new courthouse for the Boston Housing Court, Boston Municipal Court and the Boston Juvenile Court conditioned upon the enactment into law of H. 1929. If these three Boston courts were moved, a substantial amount of valuable space would be provided which could be renovated for other courts and offices now located in the Suffolk County Courthouse.

As a less-preferred alternative to H. 1929, the Judicial Conference also endorsed H. 1349 which would reverse the present formula by providing that the Commonwealth would pay 70% of all costs related to the Suffolk County Courthouse and Boston would pay 30% of such costs. This formula would more accurately reflect the current space utilization in the building.

Both bills have been sent to study, eliminating the possibility in 1975 of legislative action to alleviate the very serious situation in the courthouse and to benefit from the offer by the City of Boston to build a new courthouse.

Approximately \$735,000 was spent or obligated from July 1, 1974 to June 30, 1975 on maintenance and other work on the Suffolk County Courthouse. Four hundred eighty three thousand, five hundred and forty dollars (\$483,540) of this amount consists of a contract for corrective work on the exterior brick and masonry which should be completed by December, 1975. At that time, it is anticipated that the protective scaffolding, which has defaced the front of the building for so many years, will be removed. Work is also underway to provide expansion space for the Boston Juvenile Court in space formerly occupied by Registry of Probate records. In order to provide additional space, a substantial amount of Superior Court Civil and Probate records were moved to the State Records Center in North Grafton.

The Dorchester District Court has undergone a number of renovations and various repairs costing in excess of \$106,000.

Working drawings and specifications have been prepared for alterations to the second floor of the South Boston District Court.

Worcester County

The County Commissioners report that from July 1, 1974 to June 30, 1975, there was no expansion, renovation or construction of court facilities in Worcester County other than general maintenance. However, for the next fiscal year, it is anticipated that substantial renewal will be effected on the Superior Court buildings in both Fitchburg and Worcester.

Construction of a new courthouse for the First District Court of Northern Worcester in the City of Gardner will also begin during the next fiscal year.

POPULATION

A comparison of the most recent state census, 1975, to that of 1965 reveals a 9% increase in total state population. Five counties: Plymouth, Hampden, Barnstable, Dukes and Nantucket had increases of over 20% in population for the same period. Middlesex County, although it did not have an increase of over 20%, nevertheless had the largest numerical increase, 118,000. Plymouth County, which was one of the five counties which did increase over 20%, had a numerical increase of 85,000 persons from 1965-1975.

In 1965, Plymouth County had a total of 15,183 criminal entries at the District Court level; in 1975 there were 42,365 criminal entries, an increase of 179%. At the Superior Court level, in 1965, there were 1,464 criminal indictments and appeals in Plymouth County; in 1975 there were 2,625, an increase of 79%.

Population figures do provide some indication of the respective needs of the various counties for judicial services. However, population alone, is not the only criteria for determining such needs. A smaller but affluent county, for example, may have a higher caseload related to the administration of estates either in absolute or relative terms than a larger but less prosperous county. A county with a large number of poor or unemployed persons living in depressed areas may have a relatively larger criminal caseload than other counties.

POPULATION (000's)

County	Federal 1960	State 1965	Federal 1970	State 1975
Middlesex	1,239	1,280	1,397	1,398
Suffolk	791	706(-)	735	725
Worcester	583	610	638	640
Essex	569	609	638	632
Norfolk	510	560(+)	605	620
Hampden	429	435	459	462
Bristol	398	415	444	462
Plymouth	248	293(+)	333+	378[+]
Berkshire	142	146	149	148
Hampshire	103	100	124+	123[+]
Barnstable	70	74(+)	97+	126[+]
Franklin	55	58	59	63
Dukes	6	6	6	8[+]
Nantucket	4	4	4	6[+]
TOTAL	5,149	5,295	5,689	5,789

+ over 20% increase 1960 - 1970

(+) over 20% increase 1955 - 1965

[+] over 20% increase 1965 - 1975

On a statewide level, there is one District Court Judge (including special justices) per every 34,257 persons. However, this figure is not a true average. In order to obtain a more reliable average, the county population should be divided by the number of District Court judges within that county. The results are as follows:

POPULATION RATIO

County	One District Court Judge Per
Norfolk	62,034
Bristol	57,731
Middlesex	46,584
Hampden	41,969
Essex	39,477
Plymouth	37,750
Barnstable	31,620
Hampshire	30,682
Worcester	25,602
Suffolk	24,156
Franklin	12,684
Berkshire	12,339
Dukes	3,975
Nantucket	2,780

An average per capita number of Superior Court Judges, if done on a state level is even more misleading. There is, according to that method, one Superior Court Judge per 128,655 persons.

However, Superior Court judges rotate among the several counties, there is no specific number of Superior Court judges assigned to any one county for more than a month at a time. Moreover, District Court judges sit at the Superior Court level on various occasions. A chart comparing counties by population, caseload and judicial time in the Superior Court appears at p.74.

Committees and Court Rules

ROBERT MORRIS

Robert Morris was the first successful black lawyer in the Commonwealth of Massachusetts. He was born June 8, 1823, in Salem, Massachusetts. He was the son of York Morris and the former Nancy Thomas, who was a native of Salem. Robert was a young boy when his father died and there were 11 children in the Morris family, so it was necessary for anyone who was able to work and help support the family.

Robert worked as a table boy among the wealthy families of Salem. He was working for the King family, who were friends or relatives of Mrs. Ellis Loring of Boston, on the Thanksgiving he met Mr. Loring who needed a boy about Robert's age to do chores around his home in Boston. After talking with Robert's mother, it was decided that Robert would leave for Boston the next day with the Loring family. The stage coach was driven up to the door of the King residence and the Loring family started for Boston.

It was a bitter cold day, at a time when, no matter what the weather, if the traveler was not white, the only place to ride was on the box next to the driver, and that cold November day Robert Morris came to Boston to work as a servant.

Because of Robert's good penmanship, he was taken to Mr. Loring's office to replace a young man doing copy work. For a while Robert worked as a servant, office boy, and clerk. He did so well that Mr. Loring offered him the opportunity to study law.

February 2, 1847, Robert Morris took the Bar Examination in Suffolk County and he practiced law for the remainder of his life.

There were times when he expressed regret that he did not have the advantage of acquiring a liberal education, but he also said, "It is of no use to worry over slights and privations we have had to encounter, we must avail ourselves of every opportunity to gain knowledge and improve". Success came to Robert Morris in his thirty five years of practice of law in the Commonwealth of Massachusetts.

He was discreet, devout, and fearless in the defense of his race and one of the first to urge blacks to rise and use their votes against the continuation of exclusive schools for black children.

Beatrice Todd

Beatrice Todd, native of Pittsfield, Mass. in the Berkshires, and direct descendent of a colonial free Black family, continues the tradition of oral history and legend of Black America as she has heard it in her corner of New England. She currently is involved in research and writing in an effort to preserve these stories for America.

I was born in Pittsfield, Mass., in 1914, and the following year we moved to the town of Lanesborough to a little house that had been built in a hurry and without much money, in order to keep what was the former stop on the underground R.R. We were a poor family and I went to school as did the other children in our end of the village. After finishing Berkshire School in 1929, I, like most other young Black women, worked as a domestic for the lowest pay and after many years decided to live in Boston. In 1963, I began to learn about the past, present, and future of Blacks in Massachusetts. However, there seems to be some missing pieces to the puzzle of Black History for folks like myself "BECAUSE WE DON'T EVEN HAVE DOWN HOME". Now anything that I do as a part of Massachusetts Black History shall be called "UP HOME".

MASSACHUSETTS JUDICIAL COUNCIL

Pursuant to its statutory duty to "study . . . the organization, rules and methods of procedure and practice of the judicial system of the Commonwealth" the Judicial Council studied several significant bills during the 1975 legislative session. Of particular interest was a proposal to adopt specific time limits defining the constitutional guarantee of a speedy trial for criminal defendants. The Judicial Council did not recommend this bill, preferring, instead, a flexible rule of court which would adequately protect both the rights of criminal defendants and the interests of society in the prompt disposition of criminal matters.

During 1975 the Judicial Council also considered whether a change should be made in the laws dealing with non-judicial foreclosures of real estate mortgages. This issue raises serious constitutional questions regarding the rights of the real estate mortgagor. While the Judicial Council is of the opinion that our existing laws do not violate any constitutional principles, it did submit a draft act to the General Court for the latter's study and consideration. The question of whether a judicial hearing is constitutionally mandated in all foreclosure cases is one which bears watching.

The Judicial Council also devoted considerable attention to current efforts to improve the administration of the judicial system and the office of the Executive Secretary. A comprehensive survey of the operation of the courts, and the facilities available for trials, was included in the 51st Report for 1975.

Other major legislative proposals studied by the Judicial Council during 1975 included the right to a public trial, the rights of illegitimate children and a proposal to reorganize the system of probation.

The Judicial Council continues to work closely with the legislature and the Executive Secretary to improve our judicial system.

MASSACHUSETTS JUDICIAL CONFERENCE

The membership as of June 30, 1975, was:

Chief Justice G. Joseph Tauro, Chairman
Justice Paul C. Reardon
Justice Francis J. Quirico
Justice Robert Braucher
Justice Edward F. Hennessey
Justice Benjamin Kaplan
Justice Herbert P. Wilkins
Chief Justice Allan M. Hale
Chief Justice Walter H. McLaughlin
Judge William I. Randall
Chief Judge Alfred L. Podolski
Chief Justice Jacob Lewiton
Chief Justice Franklin N. Flaschner
James Muldoon, Esq.
John A. Fiske, Secretary

The committee structure of the conference continues to carry forward the work of the body. The committees were as follows:

Committee on Court Operations
Justice Paul C. Reardon, Chairman

Committee on Civil Procedure
Justice Francis J. Quirico, Chairman

Committee on Judicial Education
Justice Robert Braucher, Chairman

Committee on Criminal Procedure
Justice Edward F. Hennessey, Chairman

Committee on Legislation
Justice Benjamin Kaplan, Chairman

Committee on Court Facilities
Justice Herbert P. Wilkins, Chairman

At its meeting on February 28, 1975, the Judicial Conference reviewed 28 bills contained in the Report of the Judicial Conference Committee on Legislation. Among the twenty-three bills endorsed by the Judicial Conference were the following: two bills expanding the powers and duties of the Chief Justice of the Superior Court and the Chief Judge of the Probate Courts; a bill requiring appeals in district court criminal cases and in juvenile cases to be taken to juries of six in the District Courts; phase-out of special justices with a one-for-one replacement formula; phase-out of part-time District Court justices; use of District Court justices and facilities to relieve Superior Court congestion; recall of retired justices of all courts; five additional Superior Court judges; expansion of the Office of the Executive Secretary; two bills providing for state assumption of the Supreme Judicial Court, the Appeals Court and the Land Court and of the Suffolk County Courthouse; creation of a judicial conduct commission by constitutional amendment; two bills providing for preservation of testimony in the District Courts, Boston Municipal Court and the Probate Courts; construction of a new courthouse for the Superior and Probate Courts in Bristol County; complete reform of the jury selection process; and amendatory legislation accompanying the District/Municipal Courts and Domestic Relations Rules of Civil Procedure.

Samuel D. Conti, Acting Director of the Northeast Regional Office of the National Center for State Courts, reported on the work of his office in its continuing study of the Massachusetts Court system. Mr Conti's office during the past year was involved in many varied tasks including job classification of personnel at the appellate level, a detailed study of the Boston Housing Court and a continuing study of court budgeting.

Reports were also received from each Chief Justice and from the chairmen of each of the Judicial Conference committees. Justice Hennessey, Chairman of the Committee on Criminal Procedure, reported plans of the Advisory Committee that its tentative draft will be delivered to the Supreme Judicial Court in the autumn of 1975 and that the criminal rules will go into effect no earlier than the middle of 1976.

Chief Justice McLaughlin reported that the Superior Court has experienced a 2.15% increase in civil entries and 2.5% increase in criminal entries. Delay in the trial of civil cases is over 36 months in most counties and considerably worse in some. To help deal with the problem, conciliators have been assigned to all counties. He also reported that a new student internship program and a Suffolk County jury management program have been unusually successful.

Chief Justice Flaschner reported that the continuing emphasis in the District Court is on the upgrading of the quality of justice administered. He stressed the importance of educational programs for judges and clerks and the need for recording District Court proceedings.

Chief Justice Lewiton stated that the establishment of an administrative office in the Boston Municipal Court had enabled him to become involved in a number of new programs designed to improve the court's operations, and reported on the general increase of criminal business in this court.

Personnel from the Office of the Executive Secretary made a presentation on the proposed Court Case Management System of the Superior Court and its relationship to the proposed Judicial Data Processing Center. A resolution was adopted unanimously by the Conference which reads as follows:

"Henceforth any court which is considering purchasing or leasing data processing equipment or services shall sufficiently in advance of entering into any contractual agreements or negotiations inform the executive secretary and the director of judicial data processing for their consideration, who shall examine all such proposals for the purpose of coordinating data processing applications, uses, approaches and equipment.

In doing so, the executive secretary and the director of judicial data processing may seek information and guidance from the administrators committee or any other court personnel. Any such proposals about which they have reservations, doubts or objections which cannot be resolved by communication with the personnel of the court proposing to acquire or lease such equipment or services should then be submitted to the executive committee of this Conference for its consideration and action.

The determination of the executive secretary, the executive committee of this Conference or the Supreme Judicial Court as the case may require may be transmitted to the governor or legislature or the respective county commissioners as appropriate.

In the exercise of their discretion the executive secretary and the director of judicial data processing may notify appropriate legislative, executive or county personnel that a given data processing contract was not submitted to them for consideration prior to its filing and that thereafter they are unable to submit any reasonable comment upon it."

Commissioner of Probation, C. Eliot Sands, and James Muldoon of the Judicial Council described briefly some problems of the courts' relations to the Criminal History Systems Board and the proposed Criminal Justice Information System.

Introduction

Each year, the General Court must consider numerous pieces of legislation affecting the courts. In 1975, approximately 350 measures directly affecting the courts were filed and some 10% of those were enacted.

The Judicial Conference believes that legislation is an important component of judicial modernization in Massachusetts and in 1975 aided in formulation of several important proposals affecting court reform in this state. The merit and content of these measures were examined and discussed by the Judicial Conference Committee on Legislation, where judges, legislators, representatives of the executive branch of government and leaders of the bar associations exchanged views.

When the 1975 session of the General Court was dissolved on January 6, 1976, the following major pieces of judicial reform had been passed (listed in chronological order of passage):

Chapter 377 District - Municipal Court Rules of Civil Procedure

Makes amendments in the General Laws to remove all inconsistencies between the statutes and the Rules of Civil Procedure of the District Courts and the Municipal Court of the City of Boston.

Chapter 400 Probate Courts - Domestic Relations Rules

Amends the General Laws to remove all inconsistencies between the statutes and the Domestic Relations Rules of the Probate Courts.

Chapter 632 District Attorneys - Full-Time Status

Provides that, no later than January 1, 1979, District Attorneys shall devote their entire time during ordinary business hours to their duties, shall neither directly nor indirectly engage in the practice of law, and shall receive an annual salary of \$36,203.

Chapter 820 Probate Courts - Temporary Service by Retired Judges

Provides that judges of Probate and Insolvency, retired after January 1, 1975, are eligible to be recalled by the Governor, for a term of not more than two years, to perform judicial duties of the office from which he retired.

Chapter 861 Superior Court - Temporary Service by Retired Justices

Provides that retired justices of the Superior Court are eligible to be recalled, for a term of not more than two years, to perform judicial duties of the office from which he retired.

Chapter 862 Special Justices - Full-Time Status

Provides that by July 1, 1979 the special judge of probate and insolvency in the county of Hampshire, the special justices of the district courts and the special justices of the Boston juvenile court shall devote full-time during ordinary business hours and shall not directly or indirectly engage in the practice of law.

Chapter 863 Part Time District Court Judges - Full-Time Status

Provides that by July 1, 1977 the part time judges of the district courts be required to devote full time to their duties and shall not, directly or indirectly, engage in the practice of law.

Numerous major court reform measures have been proposed for legislative consideration during calendar 1976, some of which are summarized here.

An act requiring appeals in district court criminal cases and in juvenile cases to be taken to juries of six in the district and juvenile courts.

This legislation would require all appeals of district court criminal cases to be heard in the district courts by using juries of six and all juvenile cases to be retried on appeal by different judges before juries of six in the district courts and the four separate juvenile courts. Presently, these appeals are taken to the Superior Court and contribute to the Superior Court congestion.

An act governing the selection and management of jurors in suffolk county.

This proposal would ensure that jurors be randomly selected from a fair cross-section of the population by providing all citizens with an equal opportunity to be considered for jury service. By eliminating occupational exemptions and changing the payment system, the legislation will result in a financial saving for Suffolk County and serve as a model for the rest of the Commonwealth.

An act providing for the preservation of testimony in the district courts and the municipal court of the City of Boston.

With a uniform system of court-operated recorders for the preservation of testimony for all the district courts, the district courts would be able to handle not only the appeals of its own juvenile and criminal cases, but they could also handle some of the ordinary civil business now required to be tried in the Superior Court. Passage of this legislation would constitute legislative endorsement of the district courts as courts of record.

An act establishing a commission on judicial conduct.

The legislation creates an independent investigatory mechanism, with an executive secretary and staff, to conduct investigations and make recommendations. The commission, composed of representatives of the three branches of government, would replace various ad hoc procedures which have been used in the past.

An act providing for state assumption of the costs of the supreme judicial court, appeals court and land court.

The legislation provides for the state assumption of these three state-wide courts, as the initial step towards the phased state assumption of all court costs.

An act providing for the use of district court judges to relieve superior court congestion.

This proposal would authorize the Chief Justice of the Supreme Judicial Court to designate up to 25 district court justices or special justices to sit in the Superior Court. Under this proposal, the Chief Justice of the Superior Court would be authorized to transfer any civil case or matter entered or pending in the Superior Court for Suffolk County to a session of the Superior Court conducted in the city of Cambridge in Middlesex County.

The legislation seeks to redistribute judicial manpower and facilities where they are most needed without creating any permanent new positions or facilities.

MENTAL HEALTH LEGAL ADVISORS COMMITTEE

In September of 1974 the Mental Health Legal Advisors Committee (MHLAC) hired as Executive Director, William O'Neil of Lexington, a private practitioner and instructor in law with substantial experience in representing the mentally disabled.

With the appointment of its Executive Director, the Committee began to discharge its statutory obligations to conduct educational programs on the rights of the mentally handicapped, and to recruit and train a panel of private attorneys throughout the Commonwealth to represent indigent residents and patients of the mental health system on a volunteer or fee-for-service basis.

In February and March of 1975 the Committee conducted and taped four sessions for lawyers and judges and other court personnel on representing and dealing with mentally handicapped clients and litigants. Audio and video tapes of these sessions are shown regularly by the Committee throughout the state and are available on loan to interested persons and organizations. These first seminars focus on commitments of the mentally ill and will be followed by additional meetings on other relevant topics. The Committee is also in the process, in cooperation with a consortium of local hospitals and schools, of producing a video tape of a model commitment hearing. The product, directed and produced by the Committee and funded by the consortium, will be made available in four versions separately adapted for judges, lawyers, doctors, and other mental disabilities professionals.

With regard to its educational functions, the Committee has produced a 360 page Lawyer's Manual on representing the mentally handicapped, which has been distributed to panel attorneys and other interested practitioners and judges. The Committee is presently in the process of developing similar publications specifically adapted for courts, mental disabilities professionals, patients and their families. All Committee publications are regularly supplemented and updated, and are available along with other mental disabilities law materials at the Committee offices at 73 Tremont Street, Boston.

In April of 1975 the Committee implemented its representational function by distributing to each district and municipal court a list of attorneys eligible for appointment to represent indigent patients and residents at \$20 per hour plus expenses. As of the close of the year the Committee's panel was comprised of 142 private attorneys who are now advising and representing people with regard to commitment hearings, institutional rights, guardianship, and conservatorship and a number of other matters. The Committee hopes in the near future to complement this panel with a series of intake offices in all mental disabilities facilities staffed by students and other volunteers.

MHLAC had the misfortune to begin operations in dark financial times for the Commonwealth. In Fiscal 1975 MHLAC was given a startup appropriation of \$88,000. Since the payment of attorneys fees did not begin until April this amount was sufficient. However, the Committee projects for FY 1976 attorneys fees of \$500,000 for about 2,000 commitment hearings and 1,000 other matters, and office expenses of \$100,000. If the Committee is not successful in obtaining adequate funds, they may have to eliminate the provision of paid legal services and concentrate entirely on their educational efforts and their volunteer programs. The most obvious result would be a reversion to the unfair and inefficient system of county compensation of lawyers in commitment hearings -- the system which MHLAC was designed to replace -- and an almost total cessation of legal services to mental patients in matters other than defense of commitment petitions. In Fiscal 1975, the counties paid a total of \$615,415 in counsel fees to represent indigents in commitment cases.

MASSACHUSETTS DEFENDERS COMMITTEE

As shown in the following table, the Massachusetts Defenders Committee witnessed an increase of 6% in its caseload in 1975.

	Number of new cases (individual defendants)	Total Funding Received	Number of full-time lawyers	Annual Average of cases per attorney
1963	1,708	\$ 88,570	7	244
1968	18,218	789,488	58	314
1969	22,183	837,888	58	382
1970	27,880	966,832	65	429
1971	35,207	1,080,977	74	476
1972	39,969	1,162,553	75	533
1973	22,038	1,531,520	92	240
1974	27,179	2,773,266	124	219
1975	28,894	3,101,931	120	241

Since the record high of 533 cases per attorney in 1972, the caseload per attorney has been substantially reduced by several related actions. The Committee has cut down the number of courts in which M.D.C. attorneys receive appointments, concentrating the 106 staff attorneys in the trial division in the Superior Courts and in large urban districts. Limits have been placed on the number of cases which attorneys can carry at one time. In addition, supervisory practices have been improved in order to insure that cases are more evenly distributed and that quality service is being offered to clients.

The following chart indicates the distribution of attorneys among the counties in 1975:

County	No. of Attys.	Dist. Court Defendants Represented	Superior Court Defendants Represented
Suffolk	36	5,707	1,719
Middlesex	22	2,397	821
Norfolk	3	0	427
Barnstable/Dukes	1	619	64
Berkshire	3	1,370	212
Bristol	7	1,083	366
Essex	9	2,022	297
Franklin/Hampshire	2	424	174
Hampden	8	2,550	332
Plymouth	5	3,211	342
Worcester	10	3,120	673
Total	106	22,503	5,427

One result of the limitations on its staff is that the Committee was able to handle only 30% of the total number of indigent defendants in the district courts, 90% in the Superior Courts, and 50% in the Appeals Court and Supreme Judicial Court.

In the district courts, non-MDC appointments, including private counsel and other defender programs have nearly doubled in the past two years. These costs are paid from the county budgets and are therefore paid from local property taxes. The total state budget appropriation for the Committee in Fiscal 1976 was \$2,132,571, which amount was supplemented by federal grants from the Committee on Criminal Justice to the Massachusetts Defenders Committee of \$719,776 and to the Roxbury Defenders Committee of \$249,584.

Victims of Violent Crimes

In 1967 under G.L.c. 258A, Massachusetts became the first state to establish a program to reimburse victims of violent crimes operated by the Attorney General and the District Courts, rather than by administrative agency. The statistics for the last five fiscal years were:

	FY 71	FY 72	FY 73	FY 74	FY 75
Claims Filed	138	251	274	351	Unavailable
No. of Hearings	41	92	61	147	Unavailable
No. of Denials	Unavailable	10	1	1	Unavailable
No. of Awards	41	82	60	146	213
Total Awards	\$45,974.04	\$97,296.10	\$119,874.10	\$690,000.00	\$988,000.00
Average Awards	\$ 1,121.31	\$ 1,185.44	\$ 1,997.85	\$ 4,725.34	\$ 4,638.50
Tot. Awards Pd.	\$65,000.00	\$57,000.00	\$150,000.00	\$600,000.00	\$987,997.00
Files Open	97	159	213	417	Unavailable
Awards Unpaid	\$11,859.80	\$52,156.00	\$ 22,030.10	\$ 90,000.00	\$ 80,00.00

BOARD OF BAR EXAMINERS

The Board of Bar Examiners conducted two bar examinations during the period between July 1, 1974 and June 30, 1975; one examination was held on July 31 and August 1, 1974, the second examination on February 26 and 27, 1975.

Each of the examinations made use of the Multistate Bar Examination (which consists of 200 questions with multiple choice answers) as one half of a two part examination, the other half being the traditional-type examination of 10 questions, each requiring an essay answer. Massachusetts is one of 43 jurisdictions which now administers a combination of the two types of examinations for admission to the bar.

In the July 1974 examination 946 (83.5%) of 1,132 first time applicants passed the examination and 989 (76.0%) of a total 1,287 applicants of the examination passed. In the February examination, 136 (77.7%) of 175 first time applicants passed and 240 (50.9%) of a total 471 applicants passed.

During July 1, 1974 to June 30, 1975, 31 lawyers who had practiced in other jurisdictions were admitted as attorneys in Massachusetts without a written examination.

BOARD OF BAR OVERSEERS

Pursuant to Chapter Four of the Rules of the Supreme Judicial Court the Board of Bar Overseers was appointed by the Supreme Judicial Court on July 24, 1974 and immediately commenced organizing in preparation for the date when Chapter Four became effective, September 1, 1974.

Their first order of business was to register 17,490 attorneys presently admitted to practice in Massachusetts. Seven out of eight of these (15,215) were located in the Commonwealth, the balance from other jurisdictions. Sixteen thousand six hundred and sixty three (16,663) registered as active attorneys and 823 elected to assume inactive status. One hundred and one (101) attorneys were located who had not registered and were suspended; 13 of these 101 have subsequently been reinstated.

The Board inherited 361 active complaints against members of the bar from the various bar associations and has received 1,246 complaints made directly to it, totaling 1,607 complaints against 1,191 attorneys. In addition, the Bar Counsel prosecuted 38 disciplinary matters pending before the Supreme Judicial Court and, with permission, five matters pending before the United States District Court for the District of Massachusetts, making a total of 1,650 cases handled.

At year end, their status was as follows:

1. Files under investigation		944
2. Complaints dismissed without formal proceedings		
(a) Dismissed for lack of jurisdiction or lack of substance, without requirement of answer by respondent attorney	417	
(b) Dismissed for lack of substance after answer by respondent attorney and review by hearing committee	131	548
3. Cases concluded by informal admonition following review by hearing committee		
(a) Administered	14	
(b) Approved but not yet administered	2	16
4. Matters pending before reviewing hearing committees or in which Bar Counsel has appealed to the BBO from reviewing hearing Committee decision		32
5. Cases designated for formal proceedings before hearing committees		
(a) Hearing pending	45	
(b) Hearing in progress	4	
(c) Hearing completed but decision not rendered	15	64
6. Cases concluded after formal hearing and review by BBO		
(a) Dismissed	1	
(b) Informal admonition by Bar Counsel	1	
(c) Private reprimand by BBO	1	3
7. Matters before the Supreme Judicial Court		
(a) Dismissed by reason of respondent's death	1	
(b) Dismissed after hearing	4	
(c) Attorney suspended pending further hearing	8	
(d) Hearing pending, attorney not suspended	12	
(e) Voluntary resignation accepted	2	
(f) Petition for resignation pending	1	
(g) Petition for reinstatement granted after hearing	1	
(h) Petition for reinstatement pending	2	

(i) Disciplinary action taken:			
Censure	1		
Suspension	4		
Disbarment	2	7	38
8. Cases before United States District Court			
(a) Hearing pending			4
(b) Disbarred by resignation		1	5
			1,650

The Board reports: "The BBO believes that a classification of disciplinary matters by categories of misconduct will be more instructive when a statistically significant number of matters has been processed through the stage of formal proceedings. ... It is our intention to present in the second annual report of the BBO detailed classifications of the types of complaints received and the categories of misconduct resulting in informal admonition, private reprimand or formal discipline by the Court."

The financial report of the Board follows:

Receipts:

Registration fees collected:	
1974/75 registration period	\$333,571.30
Less: Overpayments refunded	(310.00)
1975/76 registration period	50.00
Late assessment fees	130.00
Voluntary registration payments (judges)	220.00
Interest on investments	6,832.58
	\$340,493.18

Expenditures:

Transfer to Clients' Security Board for the Clients' Security Fund	\$ 50,000.00
Employee salaries and insurance benefits	124,592.51
Payroll taxes	7,097.73
Office:	
Rent, telephone and utilities	23,604.55
Furniture, fixtures, library and equipment (purchase rental and maintenance)	31,280.73
Printing, photocopy and postage	29,950.52
Supplies and miscellaneous expenses, including insurance, temporary help and classified advertising	10,438.87
Purchase of mailing list and computerization of registration records	6,922.22
Hearing costs, including transcripts, investigations, service of process and filing fees	4,941.40
Reimbursement of costs advanced by Overseers	1,715.00
Staff expenses and reimbursement	1,336.79
Prepaid liability insurance	1,125.00
	\$293,005.32
Surplus at August 31, 1975	\$ 47,487.86

The Board plans to transfer an additional \$100,000 to the Clients' Security Fund during fiscal 1976.

At the end of the year, paid employees of the Board totaled twelve individuals including the Bar Counsel and three Assistant Bar Counsels. In addition to the nine members of the Board, the five members of the Clients' Security Board and forty-three members of hearing committees all served without compensation.

COURT RULES

Massachusetts Rules of Civil and Appellate Procedure

With the Massachusetts Rules of Civil and Appellate Procedure in effect as of July 1, 1974, a need arose for a committee to be established to consider the inevitable problems that would arise in the use of the new rules. In order to satisfy this need, the Supreme Judicial Court created a "Standing Advisory Committee on the Rules of Civil Procedure." The membership as of June 30, 1975 was as follows:

Justice Cornelius J. Moynihan, Superior Court, *Chairman*
Justice James P. Lynch, Jr., Superior Court
Justice John J. McNaught, Superior Court
Chief Judge Alfred L. Podolski, Probate Courts
Justice Alvin C. Tamkin, District Courts
William H. Carey, Esquire
John J. Curtin, Jr., Esquire
Jerome P. Facher, Esquire
Frederick S. Pillsbury, Esquire
Berge C. Tashjian, Esquire
John P. Concannon, Clerk of Courts, Norfolk County
Professor James W. Smith, *Reporter*
Professor Hiller B. Zobel, *Reporter*
Robert S. Bloom, *Secretary*

The Committee held eight meetings between October 18, 1974 and June 30, 1975. During this time the Committee considered a large number of proposed amendments to the Massachusetts Rules of Civil and Appellate Procedure and recommended thirteen amendments to the Supreme Judicial Court, all of which were promulgated by the Court by order dated February 24, 1975. The Committee will continue to consider rules problems during its 1975-1976 meetings. Special emphasis will be on the possible merger of the District/Municipal Courts Rules of Civil Procedure and the Domestic Relations Rules of Civil Procedure (Probate Courts) into the Massachusetts Rules of Civil Procedure.

The District/Municipal Courts and Domestic Relations Rules of Civil Procedure

New District/Municipal Courts Rules of Civil Procedure were promulgated by Chief Justices Flaschner and Lewiton, and new Domestic Relations Rules of Civil Procedure were adopted by the judges of the Probate Courts, both to take effect July 1, 1975. These rules, and the requisite accompanying legislation, were the result of extensive labors by judges, lawyers and legislators.

In the District Courts, Chief Justice Flaschner appointed a special committee to undertake the project. Chief Justice Lewiton of the Boston Municipal Court also involved personnel from that court on the committee, chaired by Justice Alvin C. Tamkin of the Hingham District Court.

After numerous meetings a draft was reviewed by the two chief justices and published for comments after which the rules were promulgated. Work on the accompanying legislation was coordinated with the preparation of the rules and resulted in St. 1975, c. 377, effective July 1, 1975.

In the Probate Courts, work on the Domestic Relations Rules began with a committee of judges from the Rules Committee and the Administrative Committee. After a year of meetings and reviews of drafts, the rules were approved at a conference of all probate judges on May 31, 1974. The accompanying legislation was prepared by the office of the Chief Judge of the Probate Courts, reviewed by a special committee of the Massachusetts Bar Association and enacted as St. 1975, c. 400 with an effective date of July 1, 1975.

It is anticipated that these rules will eventually be merged into the Massachusetts Rules of Civil Procedure.

Distribution of Rules

The recent proliferation of new rules and amendments to old rules have provoked numerous complaints from lawyers, court personnel and the public concerning the manner in which rules are approved and distributed by the courts. For example, many practitioners have been uncertain from time to time as to whether they have a complete up-to-date set of rules.

Therefore, the Supreme Judicial Court has adopted the following new procedures relating generally to the distribution of the rules of the various courts of the Commonwealth:

Effective Date -- In order to accommodate the bar and court personnel, and unless an emergency situation exists, there will be a period of delay between the time when rules are published and the effective date of the rule. Advance Sheets subscribers will receive rules amendments within approximately two weeks of public release.

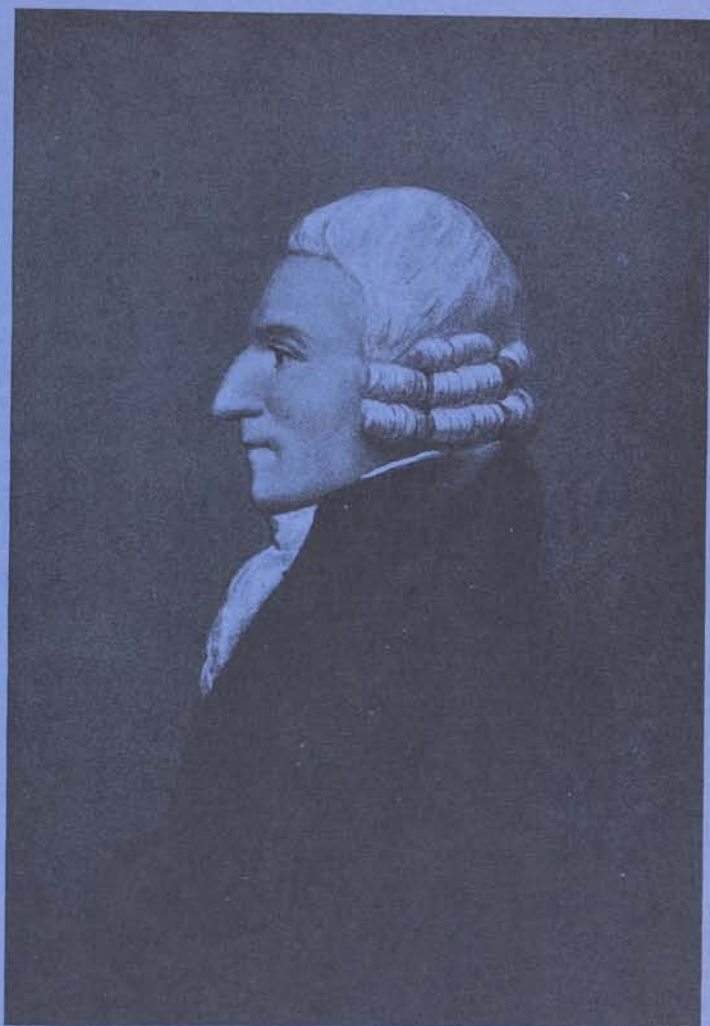
Publication -- In addition to publication in Lawyers' Weekly, rules of all courts will be printed in the Advance Sheets. These rules pages may be inserted in the book of court rules published by Massachusetts Continuing Legal Education, Inc.

Custodian and Distribution -- The Clerk of the Supreme Judicial Court for the Commonwealth has been designated as the official custodian of court rules and is responsible for immediate distribution of xerox copies of rule changes. In order to assure that all necessary parties receive rules and orders from the Supreme Judicial Court, distribution will be done on the basis of a master list including all courts and legal publications. Courts whose rules were approved by the Supreme Judicial Court will distribute these rules to all courts (except the Supreme Judicial Court) and publishers on the master list. It is also expected that steps will be taken by all courts issuing rules, whether approved by the Supreme Judicial Court or not, to assure that new rules are published in the Advance Sheets by Lawyers' Weekly.

Rules of Criminal Procedure

A preliminary draft of the Massachusetts Rules of Criminal Procedure, now applicable to the District and Superior Courts, was completed in February of 1975. This draft consisted of 46 rules regulating procedure from the initiation of a prosecution through trial to post-conviction relief and was accompanied by the Reporter's comments to the rules. At the end of June the rules had been presented to the Spring Educational Conference of the Superior Court and the District Court and were undergoing review by the criminal law subcommittees of the Massachusetts and Boston Bar Associations, the District Attorneys, the Massachusetts Defenders Committee and a committee of Superior Court clerks. As the substance of the rules approached final form, work was begun toward an analysis of the General Laws so as to accommodate the changes in existing practice made by the rules.

Comments on the Various Courts



Wm Cushing

Justice Superior Court of Judicature, 1772-1775 and 1775-1777.

Chief Justice of Massachusetts, 1777-1789.

Justice Supreme Court of the United States, 1789-1810.

The Judicial System in the Commonwealth consists of the following courts:

The Supreme Judicial Court
 The Appeals Court
 The Superior Court
 Fourteen Probate Courts
 The Land Court
 Two Housing Courts
 Seventy-Two District Courts
 The Municipal Court of the City of Boston
 Four Juvenile Courts

Dates of establishment of the courts and their jurisdiction are listed in previous editions of this report. The comments in the following pages briefly describe developments in some of the courts during fiscal 1975. In addition, graphs have been included to illustrate ten year trends in entries and, where possible, dispositions.

SUPREME JUDICIAL COURT AND APPEALS COURT

As shown in Figure 9, the number of entries in the Appeals Court in 1975, increased from 285 in 1974 to 709 in 1975, an increase of 14%. The actual number of cases entered in the Appeals Court or "gross entries" (not shown in Figure 9) in 1975 was 875, an increase of 100% over 1974's figure of 439. The difference in the two figures for entry figures (709 and 875) resulted from 120 cases transferred "sua sponte" to the Supreme Judicial Court, 45 petitions for direct review allowed and one case reported to the Supreme Judicial Court by the Appeals Court. The total number of opinions issued by the Appeals Court in 1975 decreased from 263 in 1974 to 256 in 1975, of which 158 were rescript opinions. The average number of days from entry to decision in the Appeals Court decreased by 13%, from 288 days in 1974 to 251 days in 1975.

The Supreme Judicial Court also witnessed a substantial increase in caseload, 23%, from 266 cases in 1974 to 327 cases in 1975. The total number of opinions rendered increased 38% from 194 in 1974 to 268 in 1975 of which 24 were rescript opinions. The average number of days from entry to decision increased 29% from 182 days in 1974 to 235 days in 1975.

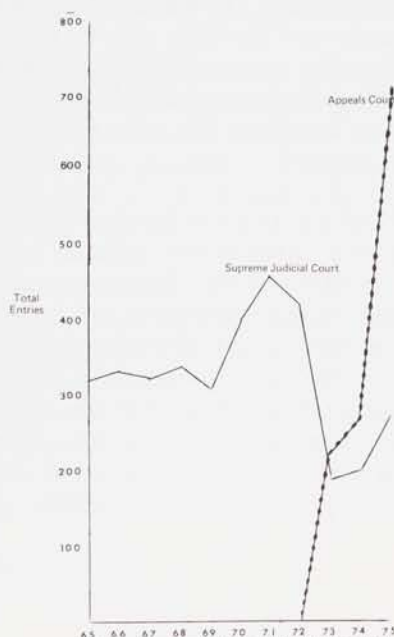


FIG. 8: Supreme Judicial Court and Appeals Court original entries (1965-1975). (Appeals Court was established in fiscal 1973.)

Inadequacy of Judicial Resources. In Fiscal 1975 the Superior Court had 45 associate justices and a chief justice, the same complement since 1968. The total number of judge days reported by the clerks was 10,202, indicating an average number of sitting days per judge of 221. The total pending and entered cases during the year were 190,040, 72,492 of which were criminal and 117,548 civil. If each justice were to be assigned the same number of cases to dispose of, each judge would have 4,131 cases. Sitting 221 days a year, each judge would have to decide 18 cases a day in order to make the court current in one year.

What do all these numbers mean? They suggest to me several important points.

First, the figures come from the 15 clerks of the Superior Court at the end of the year and are compiled after much work on the part of the clerks and their offices. In some cases there is a need for more clarification by this office of how terms are defined and more need to make uniform the various numbers reported. Therefore, although some figures may be questioned as to their individual accuracy or meaning, they remain of great value in suggesting general trends of business and resource allocation in the Superior Court.

Second, it is hard to compare cases by numbers. Some are long and complex, requiring weeks of trial time. Other cases may be disposed of in minutes, or settled prior to trial. Many of these cases are inactive and probably could be dismissed for inactivity after proper notice to the bar if there were judges and court personnel available to supervise the call of an inactive list. Chief Justice McLaughlin is working within existing resources to establish such a system in as many counties as possible.

Third, the judicial resources of the Superior Court are inadequate. No matter who measures the work to be done against the number of judges available to do it, and no matter how the measurement is made, this is the inevitable conclusion.

Passage in 1975 of recall legislation allowing the return to judicial service of certain judges retired at the age of 70 is a great step in the right direction to help this court and all the people before it. There remains great need for more judicial positions, but the recalled judges can in the interim and the future be of badly needed assistance.

Criminal Business in the Superior Court. In Fiscal 1975, 5,498 judge days were spent on criminal business, 794 more than on civil matters. At the start of the year 37,508 cases were pending, 34,984 were filed during the year and 33,559 were disposed of by June 30, 1975, leaving a total pending at the end of the year of 38,933 cases. As indicated in Figure 10, there was an increase in criminal entries of about 2% over 1974. These figures are analyzed and ranked by county in the chart on page 67.

In April of 1975, Supreme Judicial Court Chief Justice Tauro corresponded with each of the ten district attorneys and other law enforcement officials concerning the effect of delay in the handling of criminal business. Most of the district attorneys responded to the effect that delay was a great problem to them in the scheduling and prosecution of criminal cases. Three district attorneys reported that in order to try all indictments and felony appeals within three to six months, it would take at least three more judges of the Superior Court; others wrote they needed more than three additional judges to reach this same standard. Some of the district attorneys reported that their cases were relatively current. These reports reinforce the conclusion of the analysis of delay on the criminal side in seven counties (see pages 2-4) that some counties have far more serious delay problems than others. A common thread among those

counties that have shown significant progress in reducing backlog is a concern on the part of the district attorney or a judge or group of judges or a clerk, or any combination of these officials, for the management of case processing. While individual techniques may vary, the commitment to the expedited movement of cases is present in some form in every county that has been successful in maintaining a relatively current list of cases.

The Court Case Management System. Based on the premise that management of cases is essential to the disposition of criminal and civil business of the court, Superior Court Chief Justice McLaughlin continued the commitment and progress in development of the Court Case Management System. In July of 1974 he appointed a "user's committee" of justices of the court to work along with a representative of the district attorneys and the clerks to advance this automated system of tracking and managing all cases in the court. To continue the cooperative involvement of the Supreme Judicial Court, Chief Justice Tauro designated Associate Justice Benjamin Kaplan to represent the Court in supervising and assisting the development of Judicial Data Processing and CCMS.

During the year significant progress on CCMS was made. A series of all day meetings of the CCMS Committee resulted in a complete review of specifications prepared by the MITRE Corporation, and by the end of the year these user-documented needs were delivered for final preparation. Lengthy meetings were held with members of the Committee on Criminal Justice, the Law Enforcement Assistance Administration and state funding sources; we are not without money problems, but there is great commitment on the part of the court to resolve them so this modern and highly useful system can be acquired and put to prompt use, for the ultimate benefit of court, prosecutor, defense, juror, witnesses and the public.

Civil Business in the Superior Court. This report is downright lugubrious. In Fiscal 1975, 4,705 judge days were spent on civil matters, 794 less than criminal cases. There was a 1% increase in civil entries from 31,908 in 1974 to 32,247 in 1975, as shown in Figure 11. In most counties the notorious delays in reaching cases for trial remained; some courts in 1975 were trying cases involving 1966 disputes or accidents.

Fortunately, there are some bright spots. This was the first year of practice under the Massachusetts Rules of Civil Procedure, effective July 1, 1974; despite some problems in interpretation and in application of related legislation, most reports and observations were highly favorable. A uniform system of practice conformable to the Federal Rules of Civil Procedure has been established in the Superior Court and it is a welcome improvement.

Again, counties with a commitment to the movement of cases showed progress. In Berkshire County the court worked closely with the county bar association to conduct a crash program that reduced the pending civil cases from 1,694 to 1,233 in about three months. Franklin and Hampden counties also reduced their pending civil cases without an increase on the criminal side. The relative progress of each county in reducing its pending civil list is ranked and analyzed in the chart on page 60.

Educational Programs. The court continued on three fronts to improve the educational resources of and for the justices and other court personnel. Six of the justices attended the National College of the State Judiciary in fiscal 1975 where they studied with judges from other states most recent developments in the law, judicial ethics, courtroom procedures and judicial administration. Within the Commonwealth the court held two weekend conferences for all its judges and judges of other courts as well as hosting the annual Conference of New England Trial Judges.

In addition to these conferences the court, working with Justice Edward Hennessey of the Supreme Judicial Court, continued the Judicial Internship Program under which selected students from all law schools in the Boston area sat with various judges at trials, bench and lobby conferences to observe first hand the art of trial advocacy and some of the daily aspects of judging.

The benefits of these programs have been tangible and of inestimable value to the Court. In this court, as in the district and probate courts, the educational programs have provided a valuable means of communication among the trial judges as well as individual opportunities for study and discussion. The complex requirements of today's bench make it essential for judges and other court personnel to have these educational opportunities.

Percentage of Cases Appealed. In Fiscal 1975 there were 61,117 dispositions in the Superior Court, of which 898 or 1.46% were appealed to the Supreme Judicial Court or to the Appeals Court. In the Probate Courts 97,621 cases were disposed of, of which 132 cases or .14% were appealed. The number of District Court criminal complaints eventually appealed for trial de novo in the Superior Court was 3% (16,487 appeals out of 613,753 complaints.) Only a portion of the total criminal complaints resulted in district court convictions from which a de novo appeal could be taken, but that number is not presently reported by the District Courts.

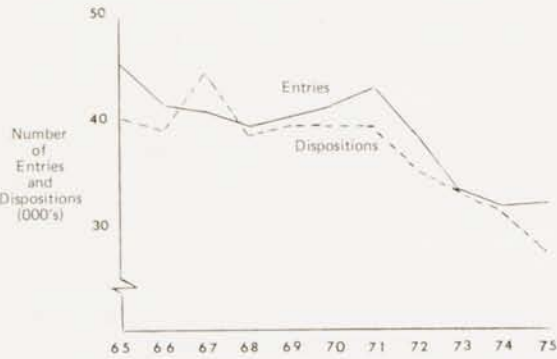


FIG. 9: Civil Entries and Dispositions in the Superior Court (1965-1975).

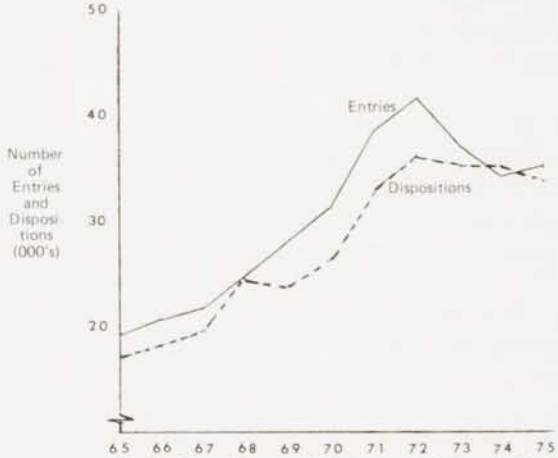


FIG. 10: Criminal Entries and Dispositions in the Superior Court (1965-1975).

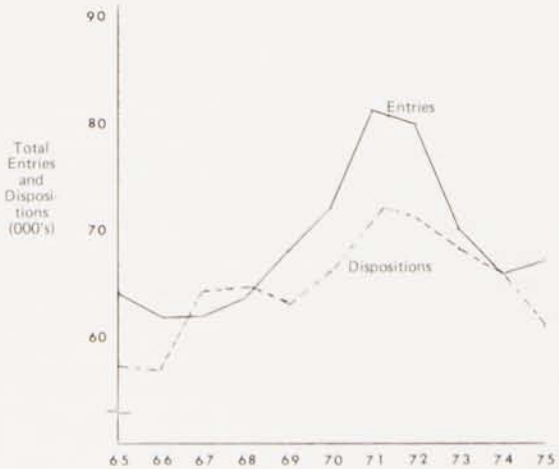


FIG. 11: Total Entries and Total Dispositions in the Superior Court (1965-1975).

PROBATE COURT

The Court year 1974 -1975 continued the work commenced in 1973 for reform and revision of court rules, forms, and uniformity of procedures.

I. Rules

Eighteen months of study, drafting, and revision of drafts by judges, registers, attorneys, and staff produced the *Massachusetts Rules of Domestic Relations Procedure*, effective July 1, 1975. Underlying these Rules was the enactment of amendatory legislation, Chapter 400 of 1975, which resulted from the combined efforts of judicial staff, the Legislature, judges, and a subcommittee of the Massachusetts Bar Association.

Additional uniform practices have been promulgated, also effective July 1, 1975, eliminating significant disparities in procedure among the fourteen counties.

II. Forms

Revised forms to coincide with the adoption of the Domestic Relations Rules have been adopted and printed under a centralized purchasing plan whereby the Office of the Chief Judge has consolidated the forms requirements of the fourteen counties. Printing of the forms has been accomplished at the print shop of the Massachusetts Correctional Institute (Walpole) at an average cost of less than \$1.00 per 100 forms, compared to previous cost figures ranging from \$3.00 - \$4.00 per 100 forms. The initial press run will total some 750,000 forms and result in projected savings in excess of \$20,000 on this limited number of forms.

Aside from the financial savings, central purchasing affords the opportunity for standardization and uniformity of forms among counties. The forms are interchangeable among counties, thereby eliminating the necessity of attorneys keeping an inventory of forms for each county. (Hooray!)

III. Uniform Practices

Additional Uniform Practices have been adopted to be effective July 1, 1975, and revisions reflecting the changes occasioned by the Rules of Domestic Relations Procedure have been incorporated.

The additional practices adopted, following the recommendations of the Massachusetts Bar Association and a survey of all Registries of Probate, clarify interpretation of procedures relating to accounts, annulment, appeals, assents, modifications, military affidavits, and notice to incompetent heirs.

IV. Conferences of Judges, Registers, and Probation Officers

The Court year has seen the continuation of judicial conferences and the resulting opportunities to study, discuss, and update rules and procedures.

Two conferences of registers and assistant registers presented an opportunity for registers to freely discuss and gain a fuller understanding of rules and forms.

One educational conference of probation officers was held under the joint sponsorship of the Chief Judge and the Department of Probation.

V. Visitations of the Chief Judge

Statutory visitations of each county were conducted by the Chief Judge providing the opportunity for each county, through its judges, registers, and bar associations, to acquaint the Chief Judge with matters of local concern.

VI. Complaints and Grievances

From a volume of more than 100,000 entries, the Office of the Chief Judge was requested to review some 50 inquiries as to procedure or actions of personnel. Approximately 60% were closed after preliminary investigation, some 15% were referred to the Grievance Committee, approximately 10% were directed to other courts or agencies, and the balance are either in litigation or receiving further study.

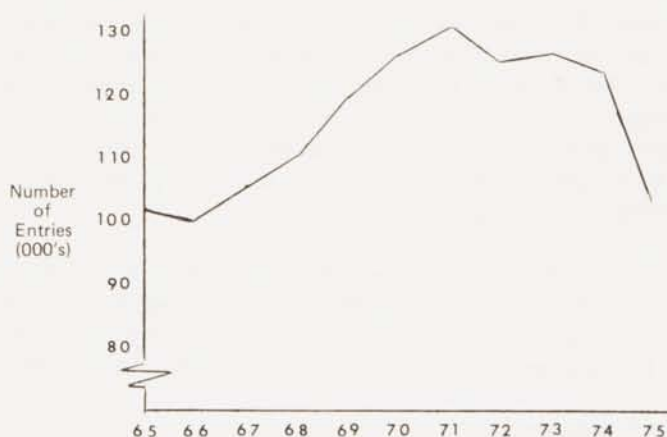


FIG. 12: Probate Court Entries (including divorce) in the Commonwealth (1965-1975).

LAND COURT

A total of 7,364 cases were entered in the Land Court in 1975, of which 390 were land registration and 44 were land confirmation. Of the 6,023 cases which were disposed of, 967 were dismissed for inactivity under Rule 31 of the Superior Court (1974). (See Rule 6 of the Land Court Rules). The large number of dismissals in 1974 under this rule (5,304; see Eighteenth Annual Report at pp. 43-44) was basically a non-recurring extraordinary effort that may serve as an example to other courts with large backlogs. A crash program to weed out inactive cases, with proper notice to the bar, can go a long way to remove the "flotsam and jetsam" from a court docket leaving an inventory of active cases which truly required judicial attention. The work of the Land Court in 1974 and its benefits in 1975, are recent reminders to all of us of the value of this approach. It is encouraging to see Chief Justice McLaughlin adopting similar procedures in the Superior Court.

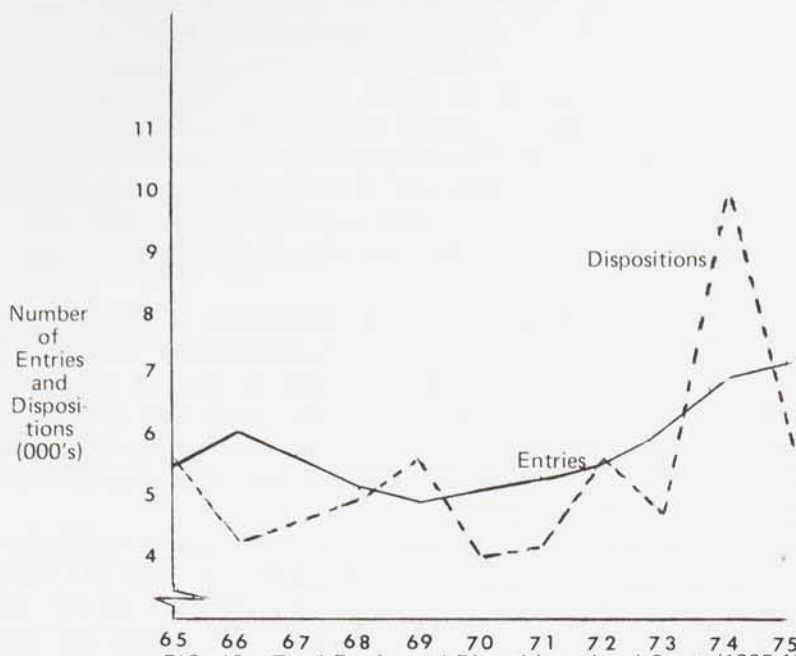


FIG. 13: Total Entries and Dispositions, Land Court (1965-1975).

DISTRICT COURTS

In the District Courts, 1974-1975 was a period of significant progress as the District Courts continued their efforts to improve administration, make practice and procedure more uniform and increase professionalism among all court personnel. Central to this effort has been a legislative program sponsored by Chief Justice Flaschner aimed at increasing the role of the District Courts in the judicial department and assuming some of the criminal business which now must be handled by the already overcrowded Superior Court. The legislative program is in three parts: (1) to make the District Court judiciary entirely full-time, eliminating the concept of the part-time judge and the conflicts and administrative inefficiency that go with it; (2) to provide for all de novo appeals from District Court jury-waived criminal trials to be heard in District Court jury of six sessions, eliminating the present option for appeal to Superior Court; and (3) to have the use of electronic recording devices authorized in all District Courts, thereby making the District Courts functional courts of record and paving the way for permitting District Court decisions to be final, subject to review on questions of law. This legislative package is supported by the Judicial Conference.

Even without legislation, substantial progress has been made in the recordation area. With the use of LEAA funds 30 District Courts have been equipped with sophisticated, multi-track recording devices which are now being used routinely in proceedings in those courts. A novel aspect of the system is that for a small fee counsel is supplied a cassette copy of the record in lieu of the traditional typed transcript. The system has been well received by the bar and the courts which use it.

The past year also saw a major effort to assist the Dorchester District Court address some of its administrative problems. A comprehensive management study was sought by the Chief Justice and Hon. Paul H. King, First Justice of the court. The study, done by Touche Ross and Co., is leading to major changes in the court. A court administrator has been appointed, the probation department is being completely reorganized, and budget and financial systems have been consolidated and improved. The court is stressing improved organization and internal management as a means of better handling one of the largest caseloads of any district court in the Commonwealth, and is developing businesslike approaches to urban court problems which should be of help to other courts, both within and without the District Courts.

The development of modern business management approaches to court problems is a common goal of the Massachusetts courts. In this vein the Administrative Office has begun a comprehensive study of the District Court jury sessions with an eye toward developing model approaches to case scheduling and the management of jury sessions in general. We hope that any useful case scheduling techniques may benefit other courts plagued with continuances and the all too common hours spent in courthouse hallways waiting for motions or trials.

Professional continuing education continues to be a major focus of District Court administration. During 1974-1975 the District Courts held two two-day District Court Judicial Conferences. Topics discussed were the new driving-under-the-influence statute, new developments in the criminal law, and the new rules of civil procedure. The clerks and assistant clerks also attended day-long sessions on the new rules. Also during this period 21 District Court judges attended one-week or two-week programs of the National College of the State Judiciary. All new District Court judges participated in a two-week orientation program prior to sitting in their own courts. The District Court judicial education program is under the supervision of the Committee on Education, while educational programs for clerks are under the supervision of the Clerks Association Committee on Continuing Education.

Also during this period nine District Court Bulletins were distributed to the judges, clerks and chief probation officers of the District Courts, keeping them apprised of new laws, changes in procedure and other matters of interest to the courts. Five Administrative Regulations were promulgated, including one requiring a monthly report from each Justice listing all civil cases which have been under advisement for more than 30 days. The Chief Justice's office was also successful in establishing a special grant arrangement with LEAA whereby \$100,000 in federal funds was allocated for local District Court criminal justice projects which otherwise might not have gained the attention of the state planning agency.

One of the strongest aspects of judicial administration in the District Courts is the vigorous system of working committees which undertake specific projects at the request of the Chief Justice. The committees and their chairmen were as of June 30, 1975 as follows:

Alcoholism	Hon. Lawrence F. Feloney (Cambridge)
Civil Procedure	Hon. Alvin C. Tamkin (Hingham)
Criminal Procedure	Hon. Francis P. Cullen (Woburn)
Drugs	Hon. Michael J. Donohue (Holyoke)
Education	Hon. Alvin C. Tamkin (Hingham)
Forms	David E. Stevens, Clerk (Brockton)

Juries of Six	Hon. Ernest S. Hayeck (Worcester)
Juvenile Procedure	Hon. Elliott T. Cowdrey (Lowell)
Mental Health	Hon. George N. Covett (Brockton)
Non-Support	Hon. Louis H. Glaser (Malden)
Preservation of Testimony	Hon. Milton R. Silva (Fall River)
Small Claims	Hon. James W. Dolan (Dorchester)
Standards	Hon. Morris N. Gould (Worcester)
Trial de Novo	Hon. Edith W. Fine (Brookline)

Committee Accomplishments. 1974-1975 saw the completion of three major committee projects.

The Committee on Civil Procedure completed its review of the Massachusetts Rules of Civil Procedure, and recommended to Chief Justice Flaschner that the rules be adopted by the District Courts with a few minor changes. Based upon that recommendation, Chief Justice Flaschner and Chief Justice Lewiton jointly promulgated new rules of civil procedure for the 72 District Courts and the BMC which conform their procedure closely to that of the other courts of the Commonwealth. The new rules went into effect on July 1, 1975 after enabling legislation, which had been drafted by the Administrative Offices of the District Courts and the BMC, was passed.

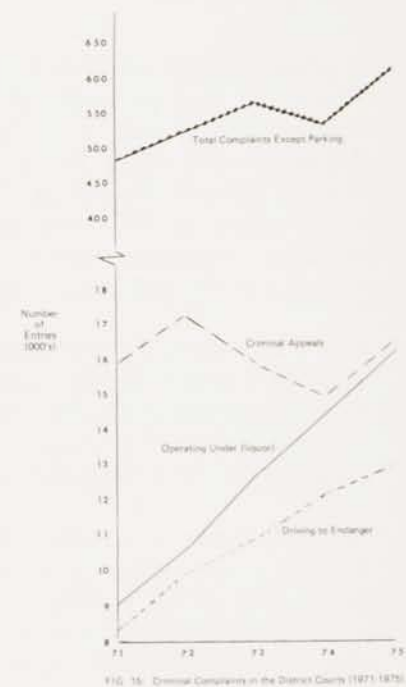
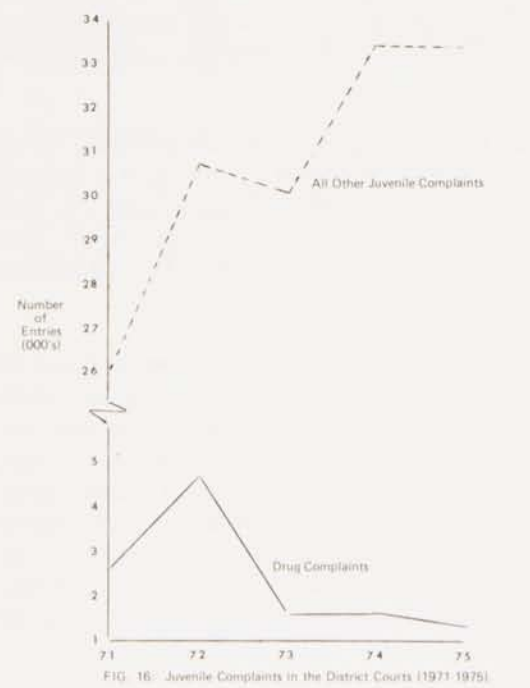
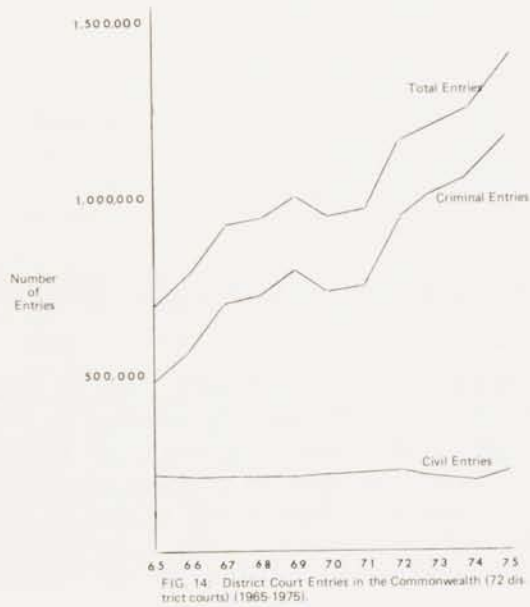
The Committee on Standards also completed its work on the development of Standards of Judicial Practice in the handling of requests for criminal complaints. Thirty-four standards were promulgated by the Chief Justice for the guidance of the courts in this important and complicated area of District Court practice. The committee is now nearing completion of standards in the arraignment and bail areas.

Another major accomplishment of the last year was the development and distribution to all District Court judges of a looseleaf manual of model jury instructions for use in the District Court jury of six sessions. Seventy-five model instructions were promulgated, and the first set of additional instructions has been finished by the Committee on Juries of Six which developed the instruction manual with the help of Administrative Office staff. The additional instructions will be sent to all District Court judges.

Work in Progress. A number of committees have projects in progress which should come to fruition soon. The Committee on Juries of Six is following up its jury instruction manual with a Jury Trial Manual that will recommend practices and procedures to be used in the jury sessions. The Committee on Mental Health is working on Standards of Judicial Practice in the area of mental health commitments, and the Committee on Small Claims is working on Small Claims standards with an eye toward simplifying small claims procedures and making small claims more accessible to the public. The Committee on Forms is in the process of drafting uniform forms for children in need of services cases. The Committee on Trial de Novo is at work developing a resource paper on the pros and cons of the trial de novo system as a step toward increasing public dialogue on that important topic.

Also very active is the Committee on Ethics of the Clerks Association which is working with the Chief Justice to draft a code of conduct for clerks and assistant clerks of the District Courts.

The graphs which follow show the trend in increasing criminal entries and relatively unchanging civil entries in the District Courts. Figures 15 and 16 show some of the more dramatic areas of increase in the statistics reported by the clerks of the District Courts relating to criminal and juvenile business.



District Court Appellate Division

The Appellate Division of the District Courts has jurisdiction to hear and decide appeals of questions of law in all civil actions tried in the District Courts, except those actions for which another route of appeal is specified by statute, such as summary process. The most common types of cases appealed to the Appellate Division are tort or contract actions. The Appellate Division also hears petitions to establish reports, appeals for claims for compensation of victims of violent crime, motions to consolidate for trial actions pending in two or more District Courts and certain other motions.

The Appellate Division is divided into three geographical districts, with five District Court judges appointed to each, and a rotating panel of three of these five judges sitting roughly once each month in each district. The districts are the northern, southern and western sitting in Lowell, Barnstable, and Worcester, respectively.

There was a dramatic increase in number of entries in the Appellate Division, up from 95 in FY74 to 195 in FY75. The number of opinions rendered in FY75 increased by 24% from 66 to 82. This number does not include decisions on contested and uncontested motions to consolidate, motions to dismiss appeals or other motions, or cases entered in the Appellate Division but settled either before or after hearing. The average time from hearing to the rendering of an opinion in the above-listed cases was 4.0 months in FY74 and 4.9 months in FY75.

Substantially more appeals are filed in the northern than in the southern and western districts; the judges of the southern and western districts are assisting the northern district by sitting in Lowell and by hearing and deciding cases there at the request of the Presiding Justice of the northern district. It is expected that this cooperation will make more expeditious the handling of appeals in the northern district.

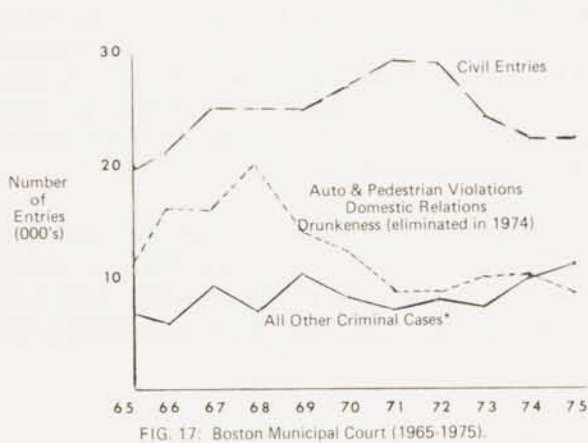
BOSTON MUNICIPAL COURT

The establishment of the Office of the Administrative Assistant to the Chief Justice in February of 1974 has given formal impetus to the collective efforts of the judges, clerk's office and probation department to improve the administrative procedures of the court. Scheduling of cases, use of the budget of the court as a planning tool, establishment and implementation of jury session for de novo appeals, the establishment and oversight of the Marginally Indigent Defendant's Attorneys Program, and improving the resources and equipment of the court in dealing with the large volume of parking complaints (478,069 or 44% of the statewide total) are areas where the court concentrated with beneficial results.

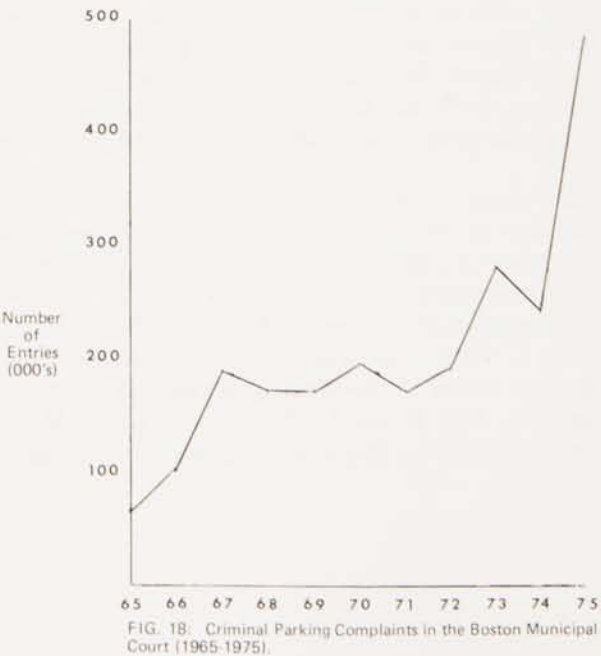
The court continued its close work with the Chief Justice of the District Courts in efforts to achieve an even greater degree of uniformity of procedures, practices and forms with the seventy-two district courts. The most significant achievement in this area was the joint adoption and promulgation of four sets of rules by the Boston Municipal Court and the Chief Justice of the District Courts: (1) District and Municipal Courts Rules of Civil Procedure, effective July 1, 1975; (2) District and Municipal Courts Supplemental Rules of Civil Procedure; (3) Special Rules of the Boston Municipal Court; and (4) Transitional Rule for Litigation in Progress on July 1, 1975. The success of the Massachusetts Rules of Civil Procedure will no doubt be reinforced by this joint collaboration of and with the District and Municipal Courts.

Physical improvements, at long last, have been made in some of the court's facilities, the most important of which are those in the criminal sessions. Painting, soundproofing and installing multi-track recording equipment have transformed the First and Second session courtrooms and helped to improve efficiency and restore dignity to the appearance and operation of the courtrooms. Plans are going forward to bring this needed modernization to other courtrooms of the Boston Municipal Court.

The most significant increase in caseload was on the criminal side, where the category of "Other Criminal Cases", which excludes parking and other routine motor vehicle violations, increased 9% from 9,971 to 10,638. The corresponding increase in 1974 was 33%, from 7,247 to 9,971. The category includes the serious cases handled by the court, including complaints for murder, rape, robbery, breaking and entering, assault and battery, larceny, etc. These are the cases which, by in large, take the most time of the judges and supporting personnel and require the greatest degree of attention.



* This category includes the more serious and time-consuming cases. From 1973 to 1974 this category increased 38% from 7,247 cases in 1973 to 9,971 in 1974 and increased 7% from 9,971 in 1974 to 10,638 in 1975.



JUVENILE COURTS

In the four juvenile courts of Massachusetts there was an increase of 14% in judicial determinations, an increase from 40,721 in 1974 to 46,536 in 1975. These figures reflect all matters brought for decision before the justices of these courts and do not reflect the juvenile business conducted in the 65 district courts having juvenile jurisdiction.

The four juvenile courts are exemplified in some ways by the Bristol County Juvenile Court. In November, 1975, Governor Sargent swore in Ronald D. Harper of New Bedford as Justice of this court. The only county-wide juvenile court in the Commonwealth, the Bristol County Juvenile Court sits one day each week in each of the four major cities within the County.

In an effort to establish consistency in the operation of the court, the Judge, Clerk and Chief Probation Officer have established four teams which are based in the four major cities of the county. Representatives of various public agencies comprise the membership of these teams which meet each month. It is hoped that these meetings will result in better probation and other services as well as a more uniform operation in the 20 communities the court serves. During the 1975 fiscal year, a Volunteer Probation Program has become a valuable aid to court personnel in New Bedford and is soon to be expanded to other areas of the county.

The absence of sufficient secure facilities for those children in need of confinement, for however brief a period, is the most pressing problem of this court. Many justices facing the difficult task of sentencing these children report this lack of safe and secure facilities as their most vexatious problem.

In the Boston Juvenile Court, the Springfield Juvenile Court and the Worcester Juvenile Court figures and reports suggest much common progress and problems. The increase in female offenders is reflected in their statistics.

Appendices

Presidents and Forms of things frequently used.



O (IB) Carpenter, of (D). You are required to appear at the next Court, holden at (B) on the day of the month next ensuing; to answer the complaint of (N C) for with-holding a debt of due upon a *Bond* or *Bill*: or for two heifers &c: sold you by him, or for work, or for a trespassse done him in his corn or hay, by your cattle, or for a slander you have done him in his name, or for striking him, or the like, and heerof you are not to fail at your peril. Dated the day of the month 1641.

Summons.

Body of Liberties (1641).

Suffolk H. To the R^{ts} Joseph Marion of Norton

Greeting.

YOU are hereby Required ~~in His Majesty's Name~~ to make your Appearance before the Justices of ~~our Lord the KING~~ at the next Inferiour Court of Common Pleas to be holden at *Boston* within and for the County of *Suffolk* on the *first* Tuesday of *January* next to give Evidence of what you know relating to an Action or Plea of *Debt* then and there to be heard and tried betwixt *Jerusha Titch*

Nathaniel Barret

Plaintiff, and
Defendant:

Hereof fail not, as you will answer your Default under the Pains and Penalty in the Law in that Behalf made and provided. Dated at *Boston* the *first* Day of *January* in the

~~Year of His Majesty's Reign.~~ *Annoque Domini, 1777.*

Ezekiel Rice Clerk

Copy of Actual Form Used in 1777.

CAVEAT LECTOR

Most readers of reports such as this need not make detailed analyses of its numbers. For those who do, however, a word of caution. Although most figures are accurate, some reported case-loads, delays or dollar costs appear inconsistent.

The District Court statistics on pages 78 and 79 report the number of criminal appeals to the Superior Court; they should match the number of criminal appeals entered by the Superior Court clerks for that county. Unfortunately, the Superior Court and District Court figures are quite different in 13 of 14 counties.

In the 18th Annual Report, the Suffolk County Superior Court reported 299 criminal cases pending as of June 30, 1974. In the 19th Annual Report, the same county reports 6,779 cases pending at the start of the year, July 1, 1974 -- a difference of 6,480 cases in one day.

Plymouth County on the chart on page 68, ranks second after Worcester County in decreasing its total number of pending criminal cases. Yet Plymouth County ranks 7th in the delay study on page 3.

Such discrepancies and lack of uniform reporting are attributable to the absence of common terms and procedures. With the encouragement of Chief Justice McLaughlin, Podolski, Flaschner and Lewiton, this office has undertaken to provide uniform definitions and to coordinate the work of the various clerks. Our objective is uniform treatment of cases among the counties and, where possible, between the different courts.

County cost figures were requested on a form identical to those used for 1974. However, a comparison of the figures reported for the same classification in 1974 with those in 1975 indicates several differences. Different budgeting and accounting procedures make it impossible to compare operating and maintenance expenditures accurately in almost all categories. As in the caseload reports, cost categories should be standardized and uniform for all counties. This recommendation would eventually enable counties to compare cost and expenses and would help all authorities responsible to direct attention to underfinanced facilities.

APPENDIX I

COSTS OF OPERATING THE COURTS OF THE COMMONWEALTH

The cost of administering and operating the courts of the Commonwealth was determined from the following sources of information:

1. Financial Report of the Comptroller of the Commonwealth, fiscal year 1975.
2. Summary of receipts developed from the records of the Auditing Department, City of Boston.
3. Summary of receipts developed from records of State Comptroller.
4. Records of Real Property Division of the City of Boston.
5. Reports from the County Treasurers which were sent to this office.
6. Public Document 29, Annual Report on the Statistics of County Finances for the period ending June 30, 1975.
7. City of Boston and County of Suffolk - General Revenue Funds - Summary of Appropriations, Expenditures and Balances - year ended June 30, 1975.
8. Summary of funding allocations of the LEAA in 1975 from Annual Action Program for the Massachusetts Committee on Criminal Justice Report.

COST AND RECEIPT TOTALS: 1965 - 1975

	Total Expenditures	% increase over Previous Year's Expenditures	Total Receipts	% increase over Previous Year's Expenditures
1965	26,494	11%	4,526	-4%
1966	26,960	2%	5,419	20%
1967	30,148	12%	6,525	20%
1968	34,536	15%	6,149	-6%
1969	37,792	9%	7,094	15%
1970	43,599	15%	9,620	36%
1971	48,837	12%	8,100	-16%
1972	53,294	9%	9,162	13%
1973	64,884	22%	13,302	45%
1974	*78,376	21%	14,935	12%
1975	*99,022	26%	17,961	20%

* Includes federal expenditures. In previous years federal expenditures were not included in court costs.

SUMMARY OF COSTS AND RECEIPTS ASSOCIATED WITH ADMINISTERING
AND OPERATING ALL COURTS IN THE COMMONWEALTH OF MASSACHUSETTS

Total Costs of Administering and Operating All Courts
In The Commonwealth of Massachusetts

Fiscal 1975

SOURCE	EXPENDITURE TOTAL
Federal Government	\$ 3,137,623.00
Commonwealth of Massachusetts	18,568,730.00
Fiscal Year Total	\$21,706,353.00

12 Months: July 1, 1974 - June 30, 1975

Barnstable County	\$ 1,570,201.40
Berkshire County	1,173,937.66
Bristol County	4,232,964.84
Dukes County	133,067.80
Essex County	6,558,678.05
Franklin County	538,104.00
Hampden County	5,134,222.05
Hampshire County	1,211,112.39
Middlesex County	17,363,203.79
Nantucket County	97,148.93
Norfolk County	5,843,465.99
Plymouth County	4,082,067.40
Suffolk County	21,177,520.00
Worcester County	7,585,239.38
Counsel fees and medical expenses in mental health commitment cases (not broken down by county)	615,415.86
12 Month Total for Counties	\$77,316,349.54
Total Federal, Commonwealth and County Expenditures for Fiscal Year 1975	\$99,022,702.54

Total Receipts of the Courts in the Commonwealth
(from filing fees, fines, forfeitures)

Fiscal Year 1975

SOURCE	RECEIPT TOTAL
Receipts from Courts which were sent to the Commonwealth	\$ 2,650,862.25
12 Months: July 1, 1974 - June 30, 1975	
Receipts from Courts which were sent to the Counties:	
Barnstable	\$ 322,899.25
Berkshire	147,205.11
Bristol	727,974.61
Dukes	14,755.28
Essex	1,167,992.00
Franklin	67,089.00
Hampden	411,083.57
Hampshire	369,672.21
Middlesex	1,477,562.51
Nantucket	5,147.43
Norfolk	1,047,213.88
Plymouth	758,832.78
Suffolk	8,022,583.00
Worcester	770,572.73
Total for Counties for 12 months	\$15,310,583.36
Total Commonwealth and County Receipts for Fiscal Year 1975	\$17,961,445.61

These receipts include filing fees in the Supreme Judicial Court, Appeals Court, Land Court and the Probate Courts. Although all filing fees in the Superior Court and the District Courts are paid to the respective counties, those in the Probate Courts go to the treasury of the Commonwealth. G.L.c. 216 § 171. Analysis of the ratio of court receipts to court expenses shows great discrepancy among the counties. The ratio in Suffolk is 35% and in Nantucket 5%; in Hampden 8% and in Hampshire 30%. This disparity suggests again the need to reconsider the county system of funding the courts and to make uniform the methods of reporting court costs and receipts.

COMMONWEALTH EXPENDITURES AND RECEIPTS

Summary of Court Costs Paid by the Commonwealth (for the fiscal year ending June 30, 1975)

Supreme Judicial Court.....	\$ 3,402,449.79
Appeals Court.....	796,605.66
Superior Court.....	2,345,852.47
Probate and Insolvency Courts.....	4,275,539.21
Land Court.....	979,361.23
District Court - Administration.....	170,412.00
Board of Bar Examiners.....	157,731.72
Pensions (Retired Judges).....	920,000.00
Judicial Council.....	26,289.14
Probation Service.....	2,593,277.08
Suffolk County Courthouse Maintenance.....	1,411,161.00 *
District Attorneys and Assistants.....	1,490,051.64
 Total.....	 \$18,568,730.94

Summary of Court Receipts Collected by the Commonwealth (for the fiscal year ending June 30, 1975)

Supreme Judicial Court.....	\$ 5,343.10
Appeals Court.....	2,038.50
Superior Court.....	940.00
Probate and Insolvency Courts.....	2,346,877.85
Land Court.....	208,684.56
Board of Bar Examiners.....	74,295.00
Probation Service.....	12,285.00
District Attorneys and Assistants.....	398.24
 Total.....	 \$2,650,862.25

* The \$1,411,161 reported as the state expenditure for Suffolk County Courthouse maintenance is actually an appropriation account out of which the state reimburses Suffolk County for 30% of the total amounts expended by Suffolk County for the maintenance of the courthouse. It should be noted that this amount is not in addition to the \$2,243,493 reported as an expenditure by Suffolk County for this same category. From this appropriation amount Suffolk County received \$499,939 during fiscal 1975 and \$677,264 so far in fiscal 1976. In fiscal 1975 Suffolk County received a total of \$586,007 (the \$499,939 reported above plus a total of \$86,068 from the fiscal 1974 appropriation account. (See Suffolk County Receipts p. 53.)

COUNTY EXPENDITURES AND RECEIPTS
(For 12 Months - July 1, 1974 - June 30, 1975)

BARNSTABLE

County Court Expenditure and County Court Receipts
(for twelve months - July 1, 1974 - June 30, 1975)

Clerk of Courts	\$ 74,295.08
Probate Court and Registry	21,149.78
Law Libraries	17,591.48
Superior Court	299,409.38
District Courts	829,076.35
Courthouse Maintenance and Operation	213,281.83
Interest Paid on Courthouse Bonded Debt	115,397.50
Total Expenditures	\$1,570,201.40
Total Receipts from County Courts	322,899.25

BERKSHIRE

County Court Expenditures and County Court Receipts
(for twelve months - July 1, 1974 - June 30, 1975)

Clerk of Courts	\$ 68,332.15
Probate Court and Registry	20,799.12
Law Libraries	23,643.48
Superior Court	240,457.52
District Courts	643,792.62
Courthouse Maintenance and Operation	92,612.77
Interest Paid on Courthouse Bonded Debt	84,300.00
Total Expenditures	\$1,173,937.66
Total Receipts from County Courts	\$ 147,205.11

BRISTOL

County Court Expenditures and County Court Receipts
(for twelve months - July 1, 1974 - June 30, 1975)

Clerk of Courts	\$ 295,104.16
Probate Court and Registry	627,258.98
Law Libraries	72,295.87
Superior Court	628,653.41
District Courts	2,079,819.16
Courthouse Maintenance and Operation	470,546.70
Interest Paid on Courthouse Bonded Debt	59,286.56
Total Expenditures	\$4,232,964.84
Total Receipts from County Courts	\$ 727,974.61

DUKES
County Court Expenditure and County Court Receipts
(for twelve months - July 1, 1974 - June 30, 1975)

Clerk of Courts	\$ 11,961.46
Probate Court and Registry . . . . .	.6,612.00
Law Libraries	2,808.68
Superior Court	22,412.55
District Courts.	71,484.46
Courthouse Maintenance and Operation	15,588.65
Interest Paid on Courthouse Bonded Debt	2,200.00
Total Expenditures	\$133,067.80
Total Receipts from County Courts	\$ 14,755.28

ESSEX
County Court Expenditures and County Court Receipts
(for twelve months - July 1, 1974 - June 30, 1975)

Clerk of Courts	\$ 349,804.33
Probate Court and Registry . . . . .	.881,956.85
Law Libraries	57,998.57
Superior Court	1,043,865.61
District Courts.	3,167,085.79
Courthouse Maintenance and Operation . . . . .	.658,416.90
Interest Paid on Courthouse Bonded Debt . . . . .	.399,550.00
Total Expenditures	\$6,558,678.05
Total Receipts from County Courts	\$1,167,992.00

FRANKLIN
County Court Expenditures and County Court Receipts
(for twelve months - July 1, 1974 - June 30, 1975)

Clerk of Courts	\$ 50,403.00
Probate Court and Registry . . . . .	.5,168.00
Law Libraries	17,407.00
Superior Court	140,453.00
District Courts.	258,820.00
Courthouse Maintenance and Operation . . . . .	.65,853.00
Interest Paid on Courthouse Bonded Debt . . . . .	.00
Total Expenditures	\$538,104.00
Total Receipts from County Courts	\$ 67,089.00

HAMPDEN
County Court Expenditure and County Court Receipts
(for twelve months - July 1, 1974 - June 30, 1975)

Clerk of Courts	\$ 291,503.32
Probate Court and Registry	98,683.83
Law Libraries	57,619.35
Superior Court	1,089,762.06
Housing Court	113,892.75
District Courts	2,372,613.48
Juvenile Court	552,922.73
Courthouse Maintenance and Operation	366,369.53
Interest Paid on Courthouse Bonded Debt	190,855.00
Total Expenditures	\$5,134,222.05
Total Receipts from County Courts	\$ 411,083.57

HAMPSHIRE
County Court Expenditures and County Court Receipts
(for twelve months - July 1, 1974 - June 30, 1975)

Clerk of Courts	\$ 78,251.43
Probate Court and Registry	148,971.00
Law Libraries	28,964.43
Superior Court	253,484.32
District Courts	447,978.95
Courthouse Maintenance and Operation	93,462.26
Interest Paid on Courthouse Bonded Debt	160,000.00
Total Expenditures	\$1,211,112.39
Total Receipts from County Courts	\$ 369,672.21

MIDDLESEX
County Court Expenditures and County Court Receipts
(for twelve months - July 1, 1974 - June 30, 1975)

Clerk of Courts	\$ 966,255.23
Probate Court and Registry	239,123.95
Law Libraries	135,717.05
Superior Court	2,770,627.58
District Courts	7,812,767.00
Courthouse Maintenance and Operation	3,551,007.98
Interest Paid on Courthouse Bonded Debt	1,887,705.00
Total Expenditures	\$17,363,203.79
Total Receipts from County Courts	\$ 1,477,562.51

NANTUCKET
County Court Expenditure and County Court Receipts
 (for twelve months - July 1, 1974 - June 30, 1975)

Clerk of Courts	\$11,199.61
Probate Court and Registry	3,177.58
Law Libraries	1,345.17
Superior Court	32,238.12
District Courts.	49,188.45
Courthouse Maintenance and Operation . . . . .	.00
Interest Paid on Courthouse Bonded Debt . . . . .	.00
Total Expenditures	\$97,148.93
Total Receipts from County Courts	\$ 5,147.43

NORFOLK
County Court Expenditures and County Court Receipts
 (for twelve months - July 1, 1974 - June 30, 1975)

Clerk of Courts	\$ 316,546.70
Probate Court and Registry	941,291.01
Law Libraries	22,960.28
Superior Court	1,403,389.43
District Courts.	2,653,030.82
Courthouse Maintenance and Operation	259,847.75
Interest Paid on Courthouse Bonded Debt	246,400.00
Total Expenditures	\$5,843,465.99
Total Receipts from County Courts	\$1,047,213.88

PLYMOUTH
County Court Expenditures and County Court Receipts
 (for twelve months - July 1, 1974 - June 30, 1975)

Clerk of Courts	\$ 260,597.50
Probate Court and Registry	548,036.64
Law Libraries	19,238.73
Superior Court	670,643.55
District Courts.	2,087,637.03
Courthouse Maintenance and Operation	359,352.82
Interest Paid on Courthouse Bonded Debt	136,561.13
Total Expenditures	\$4,082,067.40
Total Receipts from County Courts	\$ 758,832.78

SUFFOLK COUNTY (City of Boston)
County Court Expenditures
July 1, 1974 - June 30, 1975

Supreme Judicial Court	\$ 390,105.00
Superior Court	6,369,427.00
Municipal Court of the City of Boston	3,001,124.00
Boston Juvenile Court	1,084,035.00
Probate and Insolvency Court	189,342.00
Appeals Court	150,059.00
Municipal Court of the Charlestown District	304,603.00
East Boston District Court	615,499.00
Municipal Court of the South Boston District	354,285.00
Municipal Court of the Dorchester District	1,255,598.00
Municipal Court of the Roxbury District	1,795,779.00
Municipal Court of the West Roxbury District	677,729.00
Municipal Court of the Brighton District	520,708.00
District Court of Chelsea.*	-----
Social Law Library	5,000.00
Mental Health	54,900.00
Housing Court of the City of Boston	424,014.00
Pensions and Annuities	755,505.00
Registry of Deeds	765,518.00
Suffolk County Courthouse Custodian	2,243,493.00
Medical Examinations	220,797.00
TOTAL	\$21,177,520.00

*Chelsea District Court costs were unavailable - an estimated figure is \$452,000 which is paid by Suffolk County but not from the General Budget.

COUNTY COURT RECEIPTS
July 1, 1974 - June 30, 1975

Supreme Judicial Court	\$ 11,695.00
Superior Court	163,947.00
Municipal Court of the City of Boston (Civil & Criminal)	4,648,509.00
Municipal Court of the Charlestown District	47,670.00
East Boston District Court	176,270.00
Municipal Court of the South Boston District	69,529.00
Municipal Court of the Dorchester District	156,098.00
Municipal Court of the Roxbury District	1,134,015.00
Municipal Court of the West Roxbury District	113,041.00
Municipal Court of the Brighton District	320,456.00
District Court of Chelsea	75,910.00
Land Court	55,224.00
Boston Juvenile Court	790.00
Boston Housing Court	15,079.00
Court House Maintenance (30% reimbursement by state)	586,007.00
Board of Prisoners	96,288.00
Registry of Deeds	315,593.00
Reimbursement for Services of Stenographers	11,685.00
Reimbursement for Services of Justices	2,488.00
Suffolk County Courthouse	6,100.00
Telephone Commissions	1,805.00
House of Corrections - Regular	14,384.00
TOTAL	\$8,022,583.00

WORCESTER
County Court Expenditure and County Court Receipts
(for twelve months - July 1, 1974 - June 30, 1975)

Clerk of Courts	\$ 483,876.85
Probate Court and Registry .....	.27,511.95
Law Libraries .....	.76,613.28
Superior Court	1,189,725.19
District Courts	3,670,683.09
Courthouse Maintenance and Operation .....	.811,829.02
Interest Paid on Courthouse Bonded Debt	1,325,000.00
Total Expenditures	\$7,585,239.38
Total Receipts from County Courts	\$ 770,572.73

Calculation of Cost Entry in Constant Dollars for Courts of the Commonwealth
1960 - 1975

Year	Total Cost (000's)	Boston Consumer Price Index* in 1967 Dollars**	Total Cost in 1967 Dollars** (000')	Total Civil and Criminal Entries	Cost Per Entry in 1967 Dollars
1960	\$18,847	.865	\$21,788	607,552	\$35.86
1961	19,711	.877	22,475	633,712	35.47
1962	21,343	.896	23,820	675,260	35.28
1963	22,120	.914	24,201	730,530	33.13
1964	23,930	.927	25,814	806,902	31.99
1965	26,494	.945	28,036	870,894	32.19
1966	26,960	.977	27,595	948,347	29.10
1967	30,148	1.000	30,148	1,103,084	27.33
1968	34,536	1.041	33,176	1,122,989	29.54
1969	37,792	1.100	34,356	1,193,879	28.78
1970	43,599	1.167	37,360	1,376,016	27.15
1971	48,837	1.227	39,802	1,544,516	25.77
1972	53,294	1.271	41,931	1,749,418	23.97
1973	64,884	1.347	48,169	1,727,383	27.89
1974	78,376	1.497	52,355	1,727,660	30.30
1975	99,022	1.630	60,750	2,105,191	28.86

* Source: U. S. Commerce Department (1967=1.00)

** Total Cost -- Consumer Price Index

Fiscal 1975 Expenditures of the Courts in the Commonwealth
(000's)

	Common- wealth	Suffolk County	Other Counties	LEAA*	Totals
Supreme Judicial Court.	3,402	390	0	0	3,792
Appeals Court.	797	150	0	0	947
Superior Courts.	3,836	2,709	9,125	0	15,670
Probate Court and Registry.	4,276	955	3,570	0	8,801
Land Court.	979	0	0	0	979
Housing Courts.	0	424	114	0	538
County Clerks.	0	3,400	3,258	0	6,658
Juvenile Courts.	0	1,084	553	0	1,637
Superior Court Probation.	2,593	260	660	0	3,513
District Courts.	170	8,081	26,144	0	34,395
Pensions, Libraries, Mental Health & Other.	1,104	1,036	1,150	0	3,290
Maintenance and Interest Payments.	1,411	2,688	11,565	0	15,664
Federal Projects.	0	0	0	3,138	3,138
Totals.	18,568	21,177	56,139	3,138	99,022

*Law Enforcement Assistance Administration (Federal Funds)

APPENDIX II
STATISTICS ON WORK ACCOMPLISHED
BY THE COURTS IN THE COMMONWEALTH

Total Civil and Criminal Entries in the Courts in the Commonwealth*

Civil Entries

	1974	1975
Superior Court	31,980	32,247
Land Court	7,048	7,364
Probate Courts	124,681	102,333
Boston Municipal Court	24,509	25,216
District Courts	196,398	223,025
Housing Courts	9,612	4,945
TOTAL	394,156	395,130

Criminal Entries

Superior Court	17,503	17,330
Boston Municipal Court	260,527	497,303
District Courts	1,044,127	1,177,633
Juvenile Courts	11,347	12,121
Housing Courts		5,674
TOTAL	1,333,504	1,710,061

Total Civil and Criminal Entries

Superior Court	49,411	49,577
Land Court	7,048	7,364
Probate Courts	124,681	102,333
Housing Courts	9,612	10,619
Boston Municipal Court	285,036	522,519
District Courts	1,240,525	1,400,658
Juvenile Courts	11,347	12,121
TOTAL	1,727,660	2,105,191

* The entry totals do not include Supreme Judicial Court and Appeals Court entries. For the Superior Court, only indictments are included, and not appeals from the District Courts. In the Boston Municipal Court and the District Courts, the total represents net entries after removals.

Supreme Judicial Court for the County of Suffolk

Petitions for admission to the bar 1,920

Civil Cases

Bills of Complaint	61
Appeals from the Appellate Tax Board	31
Petitions for review	13
Petitions for stay	33
Petitions for dissolution	31
Petitions for transfer	8
Petitions for restraining order or injunctive relief	19
Petitions for declaratory judgment or relief	18
Petitions under G. L. c. 211, sec. 3	21
Petitions for Appeal	16
Other	59
Total	310

Criminal Cases

Petitions for extraordinary writs	60
Petitions for late appeal, late filing of bill of exceptions and late assignment of errors	18
Petitions for declaratory relief	4
Petitions for interlocutory appeal	7
Petitions for release on personal recognizance without surety or reduction in bail	13
Complaints	9
Applications for Appeal G.L.c. 278 sec. 28E	4
Petitions for stay of execution and bail pending appeal	10
Bail proceedings	36
Applications for witness immunity orders	5
All other	33
Total	199
Total Entries	2,429

SUPREME JUDICIAL COURT

(Statistics Reported for Fiscal Year 1975)

County	Opinions	Rescript	Total	Criminal Cases in Total
Barnstable	2	1	3	0
Berkshire	3	1	4	0
Bristol	9	0	9	4
Dukes	1	0	1	0
Essex	14	0	14	4
Franklin	0	0	0	0
Hampden	10	1	11	8
Hampshire	1	0	1	1
Middlesex	22	2	24	8
Nantucket	1	0	1	0
Norfolk	24	0	24	9
Plymouth	7	1	8	2
Suffolk	142	15	157	48
Worcester	8	3	11	2
Totals	244	24	268	86*

Does not include one (1) Suffolk County Criminal case which was heard but for which no opinion had been released as of June 30, 1975.

Record of Cases

Cases	Days from Entry-to Consideration	Average	Days from Consideration to Decision	Average	Days from Entry-to Decision	Average
268	37,367	139.4	25,522	95.2	62,889	234.6
					%	No.
Decisions of lower court <i>modified & affirmed</i>					4%	11
Decisions of lower court <i>affirmed</i>					50%	132
Decisions of lower court <i>reversed</i>					26%	69
No decision in lower court					17%	46
Appeals dismissed					3%	9
Complaint dismissed						1
					100%	268
Cases argued					88%	236
Submitted on briefs					8%	21
Argued and briefs					4%	11
					100%	268

APPEALS COURT

County	Cases Heard		Disposition		Pending opinions not released
	Criminal	Civil	Full Opinions	Rescript Opinions	
Barnstable	0	12	5	6	0
Berkshire	2	2	3	1	0
Bristol	3	15	5	13	0
Dukes	0	2	1	1	0
Essex	2	18	6	11	2
Franklin	1	3	2	2	0
Hampden	2	3	1	4	0
Hampshire	0	0	0	0	0
Middlesex	9	49	18	34	4
Nantucket	0	2	0	2	0
Norfolk	3	20	6	14	2
Plymouth	2	20	8	14	0
Suffolk	37	54	39	49	2
Worcester	4	9	4	7	2
	65	209	98	158	12**
	274*		256		

* 6 cases disposed of without opinion after argument

** Decisions not rendered

Record of Cases

Cases	Days from Entry-to Consideration	Average	Days from Consideration to Decision	Average	Days from Entry-to Decision	Average
194	18,490	95.3	16,799	86.6	35,289	181.9
				No.		%
Decision of lower court <i>modified and affirmed</i>				11		4%
Decision of lower court <i>affirmed</i>				182		71%
Decision of lower court <i>reversed</i>				50		20%
No decision of lower court				3		1%
Appeals dismissed				10		4%
				256*		100%

* Does not include 12 cases for which no decisions have been rendered.

Cases <i>argued</i>	219	80%
Cases <i>submitted on briefs</i>	29	11%
Cases <i>argued and on briefs</i>	26	9%
	274	100%

Total Entries in the Appeals Court	875
Cases Transferred to the Supreme Judicial Court	120
Petitions for direct review allowed	45
Reported to the Supreme Judicial Court by the Appeals Court	1
Total removals from Appeals Court to Supreme Judicial Court	166
Cases Not Removed from the Appeals Court	709
Cases disposed of by full and rescript opinions	256
Pending opinions not released as of June 30, 1975	12
Cases disposed of without opinion after argument	6
Total dispositions	274
Appeals dismissed on motion of appellee [Rule 15(c)]	29
Appeals dismissed for lack of prosecution (standing order No. 17)	20
Voluntary dismissals [Rule 29(b) (c)]	81
Total dismissals	130
Cases Not Disposed of as of June 30, 1975	305
Single Justice Matters*	1,864

* Cases in which the petitioner has requested interlocutory relief in the Appeals Court.

LIST OF COUNTIES IN ORDER OF % DECREASE OR INCREASE IN PENDING CIVIL CASES IN THE SUPERIOR COURT -- FISCAL 1975

County	Cases Pending at Start	+	Cases Filed During Year	=	Total Active Cases	-	Cases Disposed Of	=	Cases Pending at End	No. of Cases Gained or Lost Over Previous Year	% of Total Active Cases Disposed Of	% Increase or Decrease in Pending Cases
Berkshire	1,694		470		2,164		931		1,233	-461	43%	27% Decrease
Franklin	374		162		536		233		303	- 71	43%	19% Decrease
Hampden	5,169		1,757		6,926		2,016		4,910	-259	29%	5% Decrease
Essex	6,029		2,854		8,883		3,048		5,835	-194	34%	3% Decrease
Norfolk	7,671		3,131		10,802		3,275		7,527	-144	30%	2% Decrease
Bristol	3,440		1,877		5,317		1,780		3,537	+ 97	33%	3% Increase
Middlesex	21,655		6,980		28,635		6,301		22,334	+679	22%	3% Increase
Plymouth	6,938		1,726		8,664		1,453		7,211	+273	17%	4% Increase
Suffolk	26,536		8,156		34,692		5,287		29,405	+2869	15%	11% Increase
Barnstable	1,797		1,035		2,832		835		1,997	+200	29%	11% Increase
Hampshire	591		353		944		284		660	+ 69	30%	12% Increase
Dukes	140		67		207		23		184	+ 44	11%	31% Increase
Nantucket	40		49		89		31		58	+ 18	35%	45% Increase
Worcester	3,227		3,630		6,857		2,061		4,796	+1569	30%	49% Increase
Total Cases	85,301		32,247		117,548		27,558		89,990			

This chart shows that nine counties witnessed an increase in pending civil cases over the previous year. Berkshire, which disposed of 43% of its total active civil cases, had the largest numerical as well as percentage decrease in pending civil cases. Worcester, which disposed of 30% of its total active civil cases, nevertheless, had the largest (49%) percentage increase in pending civil cases over the previous year -- an increase related both to its success in reducing its backlog on the criminal side and to the unusual circumstance of having more cases filed during the year than were pending at the start of the year. This chart indicates that in order to avoid any increase in the number of pending civil cases, a county would have had to dispose of about 35% of its total active civil cases.

SUMMARY OF CIVIL STATISTICS IN THE SUPERIOR COURT

Fiscal 1975

Total Cases Pending at Start:

Jury.....	50,985
Non-Jury.....	34,316
Total.....	85,301

Total Entries During Period:

Jury.....	16,963
Non-Jury.....	15,284
Total.....	32,247

Total Dispositions During Period:

Jury.....	17,545
Non-Jury.....	10,013
Total.....	27,558

Total Cases Pending at End of Period:

Jury.....	50,403
Non-Jury.....	39,587
Total.....	89,990

Percentage of Increase During Period:

Jury.....	decrease of 1.14%
Non-Jury.....	increase of 15.36%
Total.....	increase of 5.49%

Total Number of Triable Jury Actions:

	1974	1975
Under 12 Months Old.....	12,594	11,870
Over 12 Months Old.....	31,729	31,972
Total.....	44,323	43,842

These figures reflect the progress made in reducing the number of civil jury cases pending although non-jury cases awaiting trial increased 15%. The chance of reaching a jury case for trial in less than one year remained about 1 in 14. The figures appear for each county on the next page.

CIVIL STATISTICS
IN THE SUPERIOR COURT FOR FISCAL YEAR 1975

Description	Barnstable	Berkshire	Bristol	Dukes	Essex	Franklin	Hampden	Hampshire	Middlesex	Nantucket	Norfolk	Plymouth	Suffolk	Worcester	State/Total
Cases at Start	1,797	1,694	3,440	140	6,029	374	5,169	591	21,655	40	7,671	6,938	26,536	3,227	85,301
Jury.	732	1,044	2,113	52	4,753	231	3,685	371	13,355	18	4,200	3,630	14,313	2,488	50,985
Non-Jury.	1,065	650	1,327	88	2,076	143	1,484	220	8,300	22	3,471	3,308	12,223	739	34,316
Cases Entered	1,035	470	1,877	67	2,854	162	1,757	353	6,980	49	3,131	1,726	8,156	3,630	32,247
Jury.	322	196	722	6	1,697	99	1,154	193	3,993	22	1,893	756	3,979	1,931	16,963
Non-Jury.	713	274	1,155	61	1,157	63	603	160	2,987	27	1,238	970	4,177	1,699	15,284
Cases Disposed Of.	835	931	1,780	23	3,048	233	2,016	284	6,301	31	3,275	1,453	5,287	2,061	27,558
Jury.	304	400	901	3	2,412	128	1,589	160	4,648	5	1,500	904	3,190	1,401	17,545
Non-Jury.	531	531	879	20	636 *	105	427	124	1,653	26	1,775	549	2,097	660	10,013
Pending at End	1,997	1,233	3,537	184	5,835	303	4,910	660	22,334	58	7,527	7,211	29,405	4,796	89,990
Jury.	750	840	1,934	55	4,038	202	3,250	404	12,700	35	4,593	3,482	15,102	3,018	50,403
Non-Jury.	1,247	393	1,603	129	1,797	101	1,660	256	9,634	23	2,934	3,729	14,303	1,778	39,587
Number of Triable															
Jury Actions.	565	793	1,396	55	7,290	202	3,250	343	9,871	35	3,687	3,459	10,334	2,562	43,842
Under 12 Months Old	205	232	369	6	2,408	79	874	140	2,311	21	868	721	2,243	1,393	11,870
Over 12 Months Old	360	561	1,027	49	4,882	123	2,376	203	7,560	14	2,819	2,738	8,091	1,169	31,972
Per Cent Over															
12 Months Old	64%	70.74%	73.56%	89%	67%	60.7%	73%	59%	76.58%	66%	76%	79.16%	79%	45%	73%
Number of Superior															
Court Judge Days.	88	61.5	253	10	216	26.5	243	15	952	6	339	214	1,449	313	4,186
Number of District															
Court Judge Days.	0	0	0	0	73	0	30	0	188	0	0	12	168	47	518

*Estimated

TIME-LAG IN MONTHS FROM DATE OF ENTRY TO TRIAL

SUPERIOR COURT CIVIL CASES

(Counties in Which Sittings are Continuous or Practically so During the Court Session)

	1973	1974	% Change 1973 - 1974	1975	% Change 1974 - 1975
Bristol	38.2	33.4	-13%	39.9	+19%
Essex	38.5	44.9	+17%	61	+36%
Hampden	40.0	46.0	+15%	36	-22%
Middlesex					
Cambridge	64.0	60.0	- 7%	60	0%
Norfolk	39.1	48.2	+23%	36.8	-24%
Suffolk	43.0	49.0	+14%	56	+14%
Worcester					
Worcester	33.0	36.0	+ 9%	32	-11%
Fitchburg	30.0	27.0	-10%	21	-22%

To most litigants, the time they must wait for trial is far more important than how many other people are also waiting. Thus it is more important to measure delay than the number of pending cases.

This chart shows that in 1975, some counties (Hampden, Norfolk and Worcester) reduced the delay in reaching trial. Bristol, Essex and Suffolk fell behind; the jump in Essex County from a 44 month time lag to a 61 month time lag is alarming, and Chief Justice McLaughlin has taken steps to halt this trend.

A cautionary word: these time-lag figures represent averages and may be distorted by unusually delayed cases. In many cases parties who agree on a prompt trial date may have their case reached for trial sooner than these figures.

Time-Lag in Superior Court Civil Cases

County	Year	Total Jury Cases Triable at issue and Awaiting Trial	Cases Under 12 Months Old	Cases Over 12 months Old	Per Cent Over 12 Months Old
Barnstable	1975	565	205	360	64%
	1974	578	267	311	54%
Berkshire	1975	793	232	561	71%
	1974	860	249	611	71%
Bristol	1975	1,396	369	1,027	74%
	1974	1,408	573	835	59%
Dukes	1975	55	6	49	89%
	1974	55	11	44	80%
Essex	1975	4,038	2,408	1,630	40%
	1974	4,223	1,280	2,943	69%
Franklin	1975	202	79	123	61%
	1974	230	81	149	65%
Hampden	1975	3,250	874	2,376	73%
	1974	3,370	764	2,606	77%
Hampshire	1975	343	140	203	59%
	1974	327	147	180	55%
Middlesex	1975	9,871	2,311	7,560	77%
	1974	10,908	2,602	8,306	76%
Nantucket	1975	35	21	14	40%
	1974	36	19	17	47%
Norfolk	1975	3,687	868	2,819	76%
	1974	4,038	1,234	2,804	69%
Plymouth	1975	3,459	721	2,738	79%
	1974	3,431	844	2,587	75%
Suffolk	1975	10,334	2,243	8,091	78%
	1974	12,183	3,310	8,873	72%
Worcester	1975	2,562	1,393	1,169	46%
	1974	2,676	1,213	1,463	55%
Totals	1975	40,590	11,870	28,720	71%
	1974	44,323	12,594	31,729	72%

RELATIONSHIP BETWEEN SUPERIOR AND DISTRICT COURTS

Civil Cases Remanded to the District Courts

	To District Courts	To BMC	Total
1965	11,326	1,730	13,056
1966	10,502	1,461	11,963
1967	12,585	1,733	14,318
1968	12,234	2,663	14,897
1969	10,986	3,823	14,809
1970	10,137	2,048	12,185
1971	10,818	2,029	12,847
1972	10,925	2,192	13,117
1973	8,152	1,656	9,808
1974	7,202	820	8,022
1975	3,119	734	3,853

Retransfers to the Superior Court After Trial

	From District Courts	From BMC	Total
1965	1,542	236	1,778
1966	1,412	246	1,658
1967	1,546	262	1,808
1968	1,588	317	1,905
1969	1,454	373	1,827
1970	1,309	351	1,660
1971	1,341	308	1,649
1972	1,104	309	1,413
1973	905	254	1,159
1974	847	185	1,032
1975	746	139	885

In 1974 the legislature increased the remand amount from \$2,000 to \$4,000. G.L.c.231 section 102C. There is no valid explanation why the number of cases remanded from the Superior Court to the District Courts should thereafter decline from 8,022 in 1974 to 3,853 in 1975. The figures suggest two conclusions: (1) the Superior Court should continue its efforts to make use of the remand procedure; and (2) specific analysis should be made of the reasons for the decline, which may in part be attributable to the reduction of automobile cases caused by no-fault legislation.

Removals from the District Courts to the Superior Court

	From District Courts	From BMC	Total
1965	10,929	957	11,886
1966	8,604	670	9,274
1967	9,016	734	9,750
1968	9,419	872	10,291
1969	10,438	1,002	11,440
1970	11,228	1,153	12,381
1971	11,852	1,496	13,348
1972	9,556	1,357	10,913
1973	6,982	1,098	8,080
1974	5,609	949	6,558
1975	4,436	819	5,255

LIST OF COUNTIES IN ORDER OF % DECREASE OR INCREASE IN PENDING CRIMINAL CASES IN THE SUPERIOR COURT -- FISCAL 1975

County	Cases Pending at Start	+	Cases Filed During Year	=	Total Active Cases	-	Cases Disposed Of	=	Cases Pending at End	No. of Cases Gained or Lost Over Previous Year	% of Total Active Cases Disposed Of	% Increase or Decrease in Pending Cases
Worcester	2,958		4,969		7,927		6,497		1,430	-1,528	82%	52% Decrease
Plymouth	5,205		2,625		7,830		4,726		3,104	-2,101	60%	40% Decrease
Franklin	204		222		426		258		168	- 36	61%	18% Decrease
Hampden	6,476		3,777		10,253		4,582		5,671	- 805	45%	12% Decrease
Berkshire	764		551		1,315		623		692	- 72	47%	9% Decrease
Barnstable	1,296		1,033		2,329		1,084		1,245	- 51	47%	4% Decrease
Bristol	3,124		3,118		6,242		2,663		3,579	+ 455	43%	15% Increase
Hampshire	950		736		1,686		580		1,106	+ 156	34%	16% Increase
Essex	3,540		2,623		6,163		1,954		4,209	+ 669	32%	19% Increase
Middlesex	4,791		4,966		9,757		3,476		6,281	+1,490	36%	31% Increase
Suffolk	6,779		7,441		14,220		5,276		8,944	+2,165	37%	32% Increase
Norfolk	1,411		2,794		4,205		1,765		2,440	+1,029	42%	73% Increase
Dukes	8		55		63		28		35	+ 27	44%	338% Increase
Nantucket	2		74		76		47		29	+ 27	62%	1,350% Increase
Total Cases	37,508		34,984		72,492		33,559		38,933			

This chart ranks the 14 counties according to their success in reducing the number of pending criminal cases during the year. Worcester, which disposed of 82% of its total criminal caseload, had the highest (52%) percentage decrease in the number of pending criminal cases. (The civil side in Worcester County suffered in the process, falling further behind than the other counties.) This chart also indicates (with the exception of Dukes and Nantucket, whose small caseload is disproportionate to that of the rest of the state) that, in order to avoid any increase in the number of pending criminal cases, a county would have had to dispose of at least 45% of its total active criminal cases. Eight counties show an increase in the total number of pending criminal cases over the previous year. Three counties (Berkshire, Franklin and Hampden) show a decrease in pending criminal cases at the end of the year and also a decrease in pending civil business.

SUMMARY OF CRIMINAL STATISTICS IN THE SUPERIOR COURT

Fiscal 1975

Total Cases Pending at Start:

Indictments.....	21,596
Appeals.....	15,912
Total.....	37,508

Total Entries During Period:

Indictments.....	17,330
Appeals.....	17,654
Total.....	34,984

Total Dispositions During Period:

Indictments Disposed of by Trial.....	2,896
Indictments Disposed of Otherwise.....	16,197
Appeals Disposed of by Trial.....	1,521
Appeals Disposed of Otherwise.....	12,945
Total.....	33,559

Total Cases Pending at End of Period:

Indictments Pending at End.....	19,833
Appeals Pending at End.....	19,100
Total.....	38,933

Percentage of Increase During Period:

Indictments.....	decrease of 8.88%
Appeals.....	increase of 20. %
Total.....	increase of 3.5 %

Total Defendants in Pending Actions:

Defendants in Pending Indictments.....	10,320
Defendants in Pending Appeals.....	11,292
Total.....	21,612

The substantial effort in the Superior Court to try serious criminal cases is reflected in the decrease in indictments pending at the end of the year. The figures appear for each county on the next page.

CRIMINAL STATISTICS
IN THE SUPERIOR COURT FOR FISCAL YEAR 1975

Description	Barnstable	Berkshire	Bristol	Dukes	Essex	Franklin	Hampden	Hampshire	Middlesex	Nantucket	Norfolk	Plymouth	Suffolk	Worcester	State/Total
Indictments At Start	486	397	1,790	1	1,961	84	3,030	621	2,720	2	825	2,456	5,087	2,136	21,596
Appeals at Start	810	367	1,334	7	1,579	120	3,446	329	2,071	0	586	2,749	1,692	822	15,912
Indictments Entered	302	424	1,449	25	836	73	2,609	299	2,359	63	1,245	1,129	3,701	2,816	17,330
Appeals Entered. . . .	731	127	1,669	30	1,787	149	1,168	437	2,607	11	1,549	1,496	3,740	2,153	17,654
Indictments Disposed															
Of	330	405	1,252	0	1,137	87	2,986	252	1,945	39	931	2,404	3,230	4,095	19,093
By Trial	29	33	105	0	97	19	661	49	336	18	69	50	722	708	2,896
Otherwise	301	372	1,147	0	1,040	68	2,325	203	1,609	21	862	2,354	2,508	3,387	16,197
Appeals Disposed															
Of	754	218	1,411	28	817	171	1,596	328	1,531	8	834	2,322	2,046	2,402	14,466
By Trial	78	13	115	5	49	29	126	43	211	5	52	87	230	478	1,521
Otherwise	676	205	1,296	23	768	142	1,470	285	1,320	3	782	2,235	1,816	1,924	12,945
Indictments Pending	458	416	1,987	26	1,660	70	2,653	668	3,134	26	1,139	1,181	5,558	857	19,833
Appeals Pending. . . .	787	276	1,592	9	2,549	98	3,018	438	3,147	3	1,301	1,923	3,386	573	19,100
Number of Defendants In Indictments															
Pending.	216	170	1,145	26	877	38	750	301	1,481	10	403	1,351	3,203	349	10,320
Number of Defendants In Appeals Pending . .	462	161	864	9	1,355	47	1,784	262	1,568	2	686	1,847	1,951	294	11,292
Number of Superior Court Judge Days . . .	86	77.5	253	10	275	38.5	396	86	865	17	240	273	1,346	594	4557
Number of District Court Judge Days . . .	50	14	44	0	88	19	92*	49	93	0	53	68	187	184	941

*Estimated

APPEALS FROM CONVICTIONS
IN THE DISTRICT COURTS

	1970	1971	1972	1973	1974	1975
<i>Barnstable</i>						
Superior Court	413	424	794	853	803	731
<i>Berkshire</i>						
Superior Court	141	232	176	302	231	127
Central District Court	163	196	202	169	265	220
Total	304	428	378	471	495	347
<i>Bristol</i>						
Superior Court	1,555	1,720	1,265	1,294	1,536	1,669
3rd District Court			37	71	113	199
2nd District Court				13	12	11
Total	1,555	1,720	1,302	1,378	1,661	1,879
<i>Dukes</i>						
Superior Court	16	15	27	50	43	30
<i>Essex</i>						
Superior Court	1,868	2,294	2,134	1,688	1,440	1,787
1st District Court	60	113	100	338	533	414
Central District Court				287	450	250
Total	1,928	2,407	2,234	2,313	2,423	2,451
<i>Franklin</i>						
Superior Court	149	189	196	254	222	149
<i>Hampden</i>						
Superior Court	645	970	1,147	1,230	1,125	1,168
Springfield Dist. Ct.	13	59	88	118	168	96
Total	658	1,029	1,235	1,348	1,393	1,264
<i>Hampshire</i>						
Superior Court	196	269	348	466	476	437
<i>Middlesex</i>						
Superior Court	1,879	2,636	3,175	2,135	2,165	2,607
Dist. Ct. of Lowell			658	1,267	436	404
3rd Dist. Ct.						
Eastern Middlesex	923	1,094	506	526	528	454
Dist. Ct. S. Middlesex			537	1,041	968	418
Total	2,802	3,730	4,876	4,969	4,097	3,883
<i>Nantucket</i>						
Superior Court	19	73	11	18	14	11

<i>Norfolk</i>						
Superior Court	1,215	1,250	1,205	1,086	1,315	1,549
Northern Dist. Court		368	271	260	275	244
Eastern Dist. Court				295	323	168
Total	1,215	1,618	1,476	1,641	1,913	1,961
<i>Plymouth</i>						
Superior Court	1,040	1,350	1,365	1,305	1,010	1,496
Brockton		424	427	592	574	381
Total	1,040	1,774	1,792	1,897	1,584	1,877
<i>Suffolk</i>						
Superior Court	3,062	3,087	3,181	2,366	2,623	3,740
Boston Municipal Ct.					93	139
Boston Juvenile Ct.					26	17
Total	3,062	3,087	3,181	2,366	2,742	3,896
<i>Worcester</i>						
Superior Court	2,127	2,175	2,620	2,281	2,224	2,153
Central Dist. Ct.	591	565	1,043	839	1,115	1,064
Total	2,718	2,740	3,663	3,120	3,339	3,217
<i>Totals</i>						
Superior Court	14,325	16,684	17,644	15,328	15,227	17,654
District Courts	1,790	2,819	3,869	5,816	5,878	4,479
Total	16,075	19,503	21,513	21,144	21,105	22,133

These figures show the number of convictions in the District Courts appealed to the Superior Court (17,654) and the number appealed to six-person juries in the fifteen District, Municipal or Juvenile Courts equipped to handle such appeals (4,479). The high number of defendants awaiting trial in the Superior Court on appeal from District Court convictions (11,292 people) suggests that greater use could be made of six-person juries in the District Courts to handle these appeals. Indeed, the Judicial Conference has submitted legislation to allow greater use of this District Court appeal process (see page 21).

APPELLATE DIVISION OF THE SUPERIOR COURT

(Statistics Reported for the Period July 1, 1974 through June 30, 1975)

	Sentences
As of June 30, 1974 appeals were pending for review of	459
During the period July 1, 1974 to June 30, 1975 appeals were entered for review of	499
Total	958
Appeals were withdrawn which related to	303
Appeals became moot which related to	13
Appeals were dismissed as to	183
Sentences reduced	24
Sentences increased	4
*Appeals pending on June 30, 1975 as to	431
Total	958

*(Of these pending cases Appeals as to 197 sentences have been removed from the hearing list at the request of the Appellants and will be restored upon Appellant's motions.)

The statutory function of the Appellate Division is to hear appeals on the length of sentences and to determine whether to reduce, increase or affirm the sentence appealed. Three justices of the Superior Court comprise the Appellate Division, which in Fiscal 1975 was in session 18 days.

COMPARISON OF POPULATION -- CASELOAD -- AND JUDGE TIME IN THE SUPERIOR COURTS

County	Population	% of State Total	Active		No. of Criminal		Active Civil Cases		No. of Civil	
			Criminal Cases	% of State Total	Judge Days	% of State Total	% of State Total	% of State Total	Judge Days	% of State Total
Barnstable	126,481	2.0 %	2,329	3.0 %	136	2.0 %	2,832	2.0 %	88	2.0 %
Berkshire	148,069	3.0 %	1,315	2.0 %	91.5	2.0 %	2,164	2.0 %	61.5	1.0 %
Bristol	461,852	8.0 %	6,242	9.0 %	297	5.0 %	5,317	5.0 %	253	5.0 %
Dukes	7,951	.14%	63	.09%	10	.18%	207	.18%	10	.21%
Essex	631,627	11.0 %	6,163	9.0 %	363	7.0 %	8,883	8.0 %	289	6.0 %
Franklin	63,420	1.0 %	426	1.0 %	57.5	1.0 %	536	.46%	26.5	.56%
Hampden	461,659	8.0%	10,253	14.0 %	488	9.0 %	6,926	6.0 %	273	6.0 %
Hampshire	122,729	2.0 %	1,686	2.0 %	135	2.0 %	944	1.0 %	15	.32%
Middlesex	1,397,524	24.0 %	9,757	13.0 %	958	17.0 %	28,635	24.0 %	1,140	24.0 %
Nantucket	5,559	.10%	76	.10%	17	.31%	89	.08%	6	.13%
Norfolk	620,346	11.0 %	4,205	6.0 %	293	5.0 %	10,802	9.0 %	339	7.0 %
Plymouth	377,500	7.0 %	7,830	11.0 %	341	6.0 %	8,664	7.0 %	226	5.0 %
Suffolk	724,703	13.0 %	14,220	20.0 %	1,533	28.0 %	34,692	30.0 %	1,617	34.0 %
Worcester	640,058	11.0 %	7,927	11.0 %	778	14.0 %	6,857	6.0 %	360	8.0 %
State Total	5,789,478		72,492		5,498		117,548		4,704	

*Under G.L.c. 212 § 2, the Chief Justice of the Superior Court is authorized to assign the 45 associate justices of that court to civil and criminal sessions in the 14 counties. A basic element of court management is the ability to assign judges to match the workload. This chart shows the wisdom of this statute and the ability of Chief Justice Walter H. McLaughlin and his office to allocate limited resources to unlimited work. The judge time has been distributed to a remarkable extent evenly among the counties. However, the increasing demands of the criminal calendar have reduced judge time available for civil business with disastrous consequences in some counties: the days in which a judge devoted more than half his or her time to criminal matters (5,498) exceeded the civil business days (4,704) by about 15% on a statewide basis, while in counties such as Franklin, Hampden and Worcester the criminal days outnumbered civil days by about 100%.

LAND COURT

(Comparison Five Years - July 1, 1970 -- June 30, 1975)

	70-71	71-72	72-73	73-74	74-75
Land Registration	413	356	359	445	390
Land Confirmation	34	37	52	70	44
Land Registration, Sub	1,255	1,617	1,690	1,579	1,396
Tax Lien	816	579	931	1,221	1,365
Equity & Misc.	2,711	2,983	3,084	3,733	4,169
Total Entered	5,229	5,572	6,116	7,048	7,364
Decree Plans Made.	444	451	406	435	412
Subdivision	606	764	555	795	927
Total Plans Made.	1,050	1,215	961	1,230	1,339

Cases Disposed of by Final Order, Decree or Judgment Before Hearing

Land Registration	403	971	376 ^a	610 ^c	384 ^f
Land Confirmation	30	29	43	70	44
Land Registration, Sub	1,255	1,617	1,690	1,458	1,429
Tax Lien	502	988 ^b	783	1,242 ^d	1,133 ^g
Equity & Misc.	2,062	2,050	1,855	6,690 ^e	3,033 ^h
Total Cases Disposed of.	4,252	5,655	4,747	10,070	6,023

Cases Pending Before the Court as of June 30, 1975

Land Registration	1,830
Tax Lien	2,779
Land Registration, Subsequent Petitions.	88
Equity & Miscellaneous.	4,195
Total Cases Pending as of June 30, 1975.	8,892

a Includes 5 cases dismissed for lack of prosecution.

b Includes 110 cases dismissed of which 50 were dismissed under Rule 85 and 60 for lack of prosecution.

c Includes 242 cases dismissed under Rule 85.

d Includes 249 cases dismissed under Rule 85.

e Includes 4,813 cases dismissed under Rule 85.

f Includes 31 cases dismissed under Rule 31 of the Superior Court (1974). See Rule 6 of the Land Court Rules.

g Includes 24 cases dismissed under Rule 31.

h Includes 912 cases dismissed under Rule 31.

	BARNSTABLE	BERKSHIRE	BRISTOL	DUKES	ESSEX	FRANKLIN	HAMPDEN	HAMPSHIRE	MIDDLESEX	NANTUCKET	NORFOLK	PLYMOUTH	SUFFOLK	WORCESTER
1. Original Entries														
All petitions, libels, accounts, and complaints filed.....	3,461	1,880	8,415	430	10,162	1,732	9,538	2,774	21,491	251	12,537	6,224	13,556	9,882
2. Probate Decrees														
Administrations allowed.....	203	278	1,260	42	865	124	546	127	1,359	31	897	894	2,121	2,235
Wills allowed.....	647	455	972	92	1,431	168	814	281	1,943	41	1,305	683	1,040	1,303
Trusteeships allowed.....	42	60	61	2	165	20	72	23	333	4	186	44	125	87
Guardianships (minor) allowed.....	38	49	119	1	147	13	137	52	230	1	151	63	263	125
Guardianships (mentally ill) allowed.....	17	10	35	4	67	3	47	24	142	0	35	18	108	45
Accounts and distributions allowed..	254	964	991	72	2,247	527	1,846	422	2,854	51	2,954	1,062	3,502	1,270
Partitions allowed.....	20	5	35	3	24	6	9	7	60	1	20	5	22	12
Real estate sales allowed.....	143	149	395	14	464	62	311	75	665	6	434	249	364	444
3. Equitable Relief														
Complaints filed.....	73	69	132	14	190	22	88	50	296	2	197	160	133	69
Restraining orders issued.....	24	12	50	-	110	9	5	22	170	1	26	139	34	15
Default judgments.....	2	0	9	-	12	0	4	0	56	0	30	2	0	-
Final judgments after hearing.....	9	48	55	8	62	8	44	24	58	2	71	56	105	35
4. Separate Support & Maintenance														
Petitions filed.....	137	79	833	3	901	5	139	31	1,397	1	330	755	767	423
Temporary orders of support allowed..	86	43	821	4	707	1	50	19	298	1	682	611	544	149
Modifications allowed.....	18	39	17	1	2	0	345	2	45	0	12	7	37	11
Contempt petitions filed.....	33	0	105	2	143	0	23	0	64	3	131	95	148	111
Separate support petitions allowed..	78	34	78	0	5	1	18	3	126	1	42	21	917	131
Separate support petitions dismissed	24	30	578	2	386	4	45	2	175	0	241	401	544	224

	BARNSTABLE	BERKSHIRE	BRISTOL	DUKES	ESSEX	FRANKLIN	HAMPDEN	HAMPSHIRE	MIDDLESEX	NANTUCKET	NORFOLK	PLYMOUTH	SUFFOLK	WORCESTER
5. Desertions & living apart allowed...	1	14	5	0	1	0	0	6	1	0	0	0	0	0
6. Custody of Minors														
Petitions filed.....	20	20	30	0	93	1	10	1	30	4	12	33	73	21
Petitions allowed.....	14	13	10	1	7	6	2	4	12	4	6	9	75	10
7. Divorce														
Original entries.....	670	747	1,937	61	2,355	383	2,240	623	5,494	37	2,152	1,909	2,602	3,008
Decrees nisi.....	487	520	1,564	40	1,496	305	1,439	451	3,906	21	1,581	1,369	1,739	2,337
Libels dismissed.....	71	87	154	10	93	1	198	48	465	2	168	142	142	215
Temporary orders of support allowed.	307	128	999	44	590	2	926	415	1,873	2	565	578		631
Modifications allowed.....	52		233	11	108	60	344	55	383	2	278	56		487
Contempt petitions filed.....	136	64	306	26	333	23	278	352	1,170	5	473	150		1,010
Dismissals under Rule 48.....	105	59	164	13	259	29	327	65	-	0	300	247	390	459
8. Adoptions.....	98	88	195	4	427	40	228	63	824	7	311	245	404	383

**STATISTICS FOR THE DISTRICT COURTS OF MASSACHUSETTS FOR THE YEAR ENDING
JUNE 30, 1975, AS REPORTED BY THE CLERKS OF SAID COURTS**
Compiled by the Office of the Chief Justice of the District Courts

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
DISTRICT COURTS arranged in accordance with 1970 CENSUS	Total Civil Writs Entered	Trials Less Summary Process	Summary Process Entered (Included in Column 1)	Summary Process Tried	Removals to Superior Court	Reported to Appellate Divisions	Reported to Supreme Judicial Court	Supplementary Process Entered	Small Claims Entered	Total Criminal Complaints (except Parking Complaints)	Narcotics — Harmful Drugs, etc.	Game and/or Lottery Cases	Operating Under Influence of Intoxicating Liquor	Operating Under Influence of Drugs	Operating so as to Endanger	Using Without Authority and Larceny of Motor Vehicle	All Other Motor Vehicle Complaints (except Parking)
1 Central Worcester	4,680	210	917	160	118	10	0	1,575	3,767	41,806	675	17	306	3	183	176	30,151
2 Springfield	3,681	669	342	38	201	6	0	2,328	5,506	27,838	1,004	87	668	7	265	230	17,645
3 East Norfolk, Quincy	4,064	426	409	147	150	2	0	1,306	5,952	21,452	733	3	916	24	589	248	15,450
4 1st Eastern Middlesex, Malden	3,252	261	406	294	172	2	0	1,173	3,501	15,344	397	14	337	16	232	220	11,028
5 Lowell	2,713	131	724	285	167	2	0	896	7,767	14,478	294	73	408	12	167	237	8,068
6 3rd East, Middlesex, Cambridge	2,982	269	564	128	146	4	1	759	2,808	17,236	349	16	192	5	187	299	12,324
7 Dorchester	2,338	300	1,198	106	109	3	0	1,766	2,501	9,746	299	45	310	0	344	232	4,446
8 Southern Essex, Lynn	1,935	147	469	213	97	5	2	595	2,461	12,660	354	2	358	8	227	106	8,526
9 4th East, Middlesex, Woburn	2,022	239	192	62	166	6	0	1,844	2,639	13,638	249	5	394	11	278	115	9,969
10 Third Bristol, New Bedford	2,231	229	369	97	144	1	0	2,585	5,769	13,702	705	120	418	2	251	77	6,390
11 Northern Norfolk, Dedham	1,668	98	116	30	91	7	0	939	1,540	9,319	157	0	194	5	285	87	7,215
12 Lawrence	1,807	303	401	106	126	1	0	396	1,892	9,634	282	16	310	2	132	172	4,432
13 Second Bristol, Fall River	1,681	113	238	51	101	1	1	364	2,034	12,660	347	35	199	6	489	81	7,989
14 West Roxbury	1,023	118	468	137	40	5	0	1,094	1,824	11,348	273	123	334	7	281	280	3,203
15 First Essex, Salem	1,889	338	242	210	77	2	0	535	2,099	9,987	178	0	397	0	168	4	7,254
16 1st So. Middlesex, Framingham	1,710	96	303	62	152	13	0	1,070	2,386	20,899	408	0	505	3	241	60	16,298
17 Brockton	2,315	326	462	149	227	3	0	1,003	2,406	13,410	661	5	659	25	415	128	6,856
18 Hampshire, Northampton	662	69	159	49	36	0	1	99	2,122	10,954	215	0	462	6	289	71	7,979
19 2nd Plymouth, Hingham	1,245	199	135	64	42	0	0	699	1,312	11,563	253	0	498	4	371	81	7,644
20 2nd East, Middlesex, Waltham	2,329	194	161	96	112	2	0	521	1,690	17,776	212	1	231	8	218	51	12,801
21 Central Middlesex, Concord	875	72	78	27	49	2	0	421	1,115	16,633	290	0	353	10	420	62	13,816
22 Roxbury	2,286	80	1,671	215	57	3	1	914	1,460	11,540	463	126	220	2	239	396	5,373
23 Newton	1,365	183	63	22	83	0	0	393	1,324	9,273	102	3	104	3	81	64	7,469
24 Western Norfolk, Wrentham	800	73	106	43	45	0	0	414	1,721	10,738	306	0	253	4	389	87	7,560
25 Somerville	1,106	151	283	113	60	8	0	538	1,589	3,915	57	20	64	4	75	75	2,246
26 First Bristol, Taunton	1,062	8	228	36	36	1	0	202	1,626	7,327	143	2	262	0	445	79	4,086
27 Central Berkshire, Pittsfield	863	110	172	144	40	1	0	169	1,149	6,382	64	0	191	4	219	32	3,738
28 Chelsea	952	140	242	101	50	1	0	601	1,476	8,714	275	36	318	6	336	140	4,641
29 Fourth Bristol, Attleboro	919	61	124	42	51	1	0	304	1,506	7,616	89	0	202	0	312	109	3,906
30 First Barnstable, Barnstable	2,135	110	155	25	97	7	1	609	3,211	16,272	319	10	553	12	403	69	10,484
31* Chicopee	124	34	31	31	9	0	0	78	655	4,333	187	0	187	1	101	19	2,966
32 Brighton	974	57	419	35	34	0	0	308	988	7,901	198	38	175	9	110	49	5,535
33 Central No. Essex, Haverhill	821	464	146	90	52	7	0	1,265	2,519	5,397	60	13	140	0	84	24	3,220
34 East Boston	426	74	127	26	40	0	1	350	1,039	3,950	145	77	44	1	54	62	1,864
35 1st So. Worcester, Dudley	374	26	78	55	22	2	0	126	1,421	11,700	209	3	157	7	103	67	9,616
36 Third Plymouth, Plymouth	967	215	163	27	14	2	0	462	2,019	10,171	133	0	343	2	401	81	6,440
37 Peabody	706	82	98	29	67	2	0	450	898	8,989	90	33	292	5	139	37	6,604
38 Brookline	1,285	143	112	26	49	3	0	290	966	2,642	18	1	37	1	20	24	1,360
39 Southern Norfolk, Stoughton	806	242	56	33	80	2	0	342	813	7,007	193	6	268	3	382	38	4,711
40 Fitchburg	1,300	107	127	113	11	1	0	375	1,348	6,294	179	1	260	0	158	58	4,190
41 Franklin, Greenfield	283	59	48	48	29	0	0	704	1,231	6,321	131	0	162	4	142	21	4,361
42 South Boston	417	2	250	31	7	0	0	231	569	2,825	64	17	78	2	78	85	1,334
43 Holyoke	167	49	17	0	11	1	0	101	507	5,231	266	55	237	1	70	45	3,191
44 1st No. Middlesex, Ayer	337	68	66	33	11	0	0	207	1,115	12,283	159	0	259	1	290	37	10,010
45 1st No. Worcester, Gardner	240	11	48	5	12	0	0	246	614	7,844	271	4	209	8	79	53	5,694
46 Marlborough	525	41	191	63	13	1	0	207	1,125	5,374	313	0	105	1	80	33	2,010
47 2nd East, Worcester, Clinton	189	24	45	27	11	0	0	275	556	6,562	134	4	95	3	110	35	5,332
48 Western Hampden, Westfield	185	26	30	20	9	1	0	51	968	5,631	88	33	157	0	193	16	4,386
49 4th Plymouth, Wareham	537	23	81	43	24	1	0	241	1,221	7,221	164	6	287	7	350	10	4,263
50 1st East, Worcester, Westborough	417	78	89	42	19	0	0	177	826	14,669	172	0	117	8	72	48	12,572
51 Eastern Essex, Gloucester	351	113	136	102	10	4	0	113	753	4,035	263	0	332	4	225	29	1,578
52 Eastern Hampden, Palmer	134	44	25	23	0	0	0	59	703	6,040	113	4	179	6	110	39	4,733
53* Leominster	198	18	49	34	8	0	0	410	1,031	4,561	88	9	137	1	61	22	3,263
54 2nd So. Worcester, Uxbridge	226	82	25	22	1	1	0	62	353	2,755	95	0	57	0	19	8	1,779
55 Natick	418	30	28	14	26	1	1	111	464	2,889	37	0	52	0	61	19	1,825
56 2nd Barnstable, Orleans	632	91	65	16	31	1	0	162	1,655	7,913	645	28	333	8	167	33	4,663
57 3rd So. Worcester, Milford	613	255	145	127	24	0	0	141	747	3,060	63	0	97	0	95	17	1,866
58* Newburyport	305	27	54	22	14	0	0	71	801	4,393	127	0	170	1	191	24	2,857
59* West, Worcester, E. Brookfield	89	9	20	3	1	0	0	65	454	2,835	28	5	70	0	27	22	1,702
60* No. Berkshire, No. Adams	183	3	57	1	1	0	0	348	765	1,873	29	0	74	0	46	25	444
61* Lee	75	3	7	4	4	0	0	17	313	3,109	8	0	82	0	54	10	2,519
62* Second Essex, Amesbury	225	48	116	71	10	0	0	72	366	4,095	42	0	148	0	59	24	3,151
63* Fourth Berkshire, Adams	78	36	7	7	5	0	0	46	442	1,187	7	0	40	2	80	12	654
64 Charlestown	231	12	122	10	16	0	0	143	391	1,197	24	0	25	0	21	42	687
65* So. Berkshire, Great Barrington	106	10	16	3	4	1	0	23	526	2,227	6	0	102	0	69	18	1,483
66* Third Essex, Ipswich	59	10	11	9	1	0	0	21	227	663	5	0	32	0	40	4	326
67* East, Franklin, Orange	26	8	7	5	1	0	0	12	223	1,163	22	0	8	0	33	0	411
68* Williamstown	37	5	7	0	0	0	0	146	214	736	41	0	25	0	33	0	847
69* East, Hampshire, Ware	66	6	29	26	5	0	0	23	230	462	9	5	20	0	11	5	237
70* Winchendon	41	5	3	0	2	0	0	31	175	449	6	0	31	1	20	2	189
71* Dukes, Edgartown	172	23	8	6	2	0	0	57	493	1,750	110	3	32	0	47	16	998
72* Nantucket	80	5	6	3	8	0	0	5	159	656	158	0	19	0	25	3	232
TOTALS	74,015	8,401	14,562	4,537	3,740	192	9	34,759	111,036	613,753	15,253	1,104	16,290	286	13,034	5,304	405,191

* Indicates a court with a part-time Justice.
† Reported this year for the first time.

**STATISTICS FOR THE DISTRICT COURTS OF MASSACHUSETTS FOR THE YEAR ENDING
JUNE 30, 1975, AS REPORTED BY THE CLERKS OF SAID COURTS**
Compiled by the Office of the Chief Justice of the District Courts

18	19	20	21	22	23†	24	25	26	27	28	29	30	31	32	33	34	35	36
All Other Criminal Complaints	Criminal Parking Complaints	Criminal Appeals	Juvenile Drug Complaints	All Other Juvenile Complaints	"CHINS" Petitions	Neglected Children	Commitments of Mentally Ill	Parking Tickets Returned	Neglect of Family Non-Support		Uniform Reciprocal Enforcement of Support Act G.L.C. 273A		Remand or Transfer Cases Acts 1958, C. 359					
									Number of New Cases	Amount of Money Collected	Cases Initiated	Cases Received from Other States	Amount of Money Collected	Cases Received	Tried	Retransferred to Superior Court after Trial	Dispositions: Agreements, Trials, Defaults, Nonsuits, Dismissals, Settlements, etc.	Pending
0,295	28,461	797	-	-	-	-	62	113,072	71	54,531.04	55	84	150,634.58	181	196	94	1,001	1,420
7,932	63,811	692	-	-	-	-	263	101,862	98	280,089.32	54	121	248,742.56	173	55	38	268	171
3,489	4,175	469	69	1,708	4	11	35	54,920	69	46,326.88	70	41	161,551.82	149	49	30	259	348
3,100	28,827	424	65	1,195	47	22	4	99,664	38	129,089.18	10	38	106,089.18	244	207	25	284	217
5,219	4,112	272	27	1,321	65	52	95	30,079	233	569,437.34	56	24	214,148.47	94	97	26	278	180
3,864	44,964	610	36	1,225	50	12	112	296,458	80	75,024.61	28	33	167,016.29	69	85	38	288	71
4,070	19,199	130	19	1,112	15	31	7	15,339	130	165,151.51	76	49	70,753.73	75	262	85	340	115
3,079	26,463	778	32	810	77	9	14	52,360	85	54,723.10	17	42	66,904.61	51	53	21	132	27
2,617	2,505	435	45	902	40	20	73	6,715	42	156,440.91	27	28	146,170.63	96	31	15	104	33
5,739	4,972	377	-	-	-	-	58	23,140	68	93,285.69	25	37	129,297.27	40	18	6	96	114
1,376	5,584	251	25	663	32	1	69	19,399	16	35,522.82	22	20	91,035.82	95	36	50	104	56
4,288	17,107	502	32	812	47	36	16	35,508	37	87,943.38	11	44	96,854.60	23	12	3	41	63
3,514	10,000	112	-	-	-	-	20	73,065	36	148,759.19	29	27	31,706.35	58	14	6	90	344
6,847	7,380	219	37	1,173	83	9	156	37,000	33	77,695.64	46	31	85,253.45	59	10	3	48	139
1,986	714	140	36	560	74	44	36	42,596	37	126,777.45	10	8	83,311.90	23	25	10	65	152
3,384	1,269	236	53	754	23	22	48	10,274	303	213,315.25	28	31	122,447.61	72	31	13	83	33
4,661	7,789	340	60	1,126	65	45	398	20,805	24	86,454.30	21	21	103,987.37	51	22	9	178	192
1,932	8,468	454	9	545	45	10	147	40,557	10	37,870.60	29	40	84,822.02	31	6	6	19	23
2,712	2,885	616	32	998	34	3	54	3,522	24	152,344.50	33	13	107,776.12	122	26	4	59	135
4,254	6,753	364	33	642	40	3	100	54,375	24	21,830.26	9	15	53,841.30	77	30	25	79	174
1,682	2,192	452	25	702	26	9	4	11,180	6	70,241.62	16	26	100,590.68	48	15	6	48	0
4,521	138,998	160	-	-	-	-	46	356,668	103	148,786.42	50	70	192,084.89	33	5	2	29	84
1,447	773	166	8	321	19	5	6	27,269	51	13,425.00	11	8	47,602.82	93	21	14	103	69
2,139	48	360	45	892	211	2	76	2,346	34	84,802.26	23	48	67,515.20	28	15	0	41	48
1,374	20,961	109	4	271	28	3	5	73,963	7	73,629.18	56	65	40,211.37	78	31	9	161	76
2,310	859	422	-	-	-	-	56	9,612	74	6,509.00	13	23	61,636.85	29	5	1	40	33
2,134	6,502	105	7	419	16	10	2	59,271	113	550,523.77	30	24	67,627.86	14	3	2	20	9
2,962	2,068	998	29	992	33	32	0	9,705	87	229,003.06	17	27	15,573.00	72	23	12	83	266
2,998	2,124	90	-	-	-	-	16	8,769	225	113,732.99	16	30	59,323.32	22	7	7	34	18
4,422	918	180	41	1,177	57	0	29	6,496	42	38,679.60	24	34	109,308.37	75	5	5	80	24
872	0	3	9	275	14	11	6	639	24	43,237.95	12	13	32,346.51	2	1	0	1	31
1,887	40,655	62	11	250	10	7	15	36,424	21	82,479.30	18	13	37,453.73	27	11	6	31	27
1,856	310	164	15	220	9	12	11	1,016	51	90,444.00	49	51	66,719.50	15	35	6	50	18
1,703	46,071	376	8	191	9	28	15	91,650	156	112,104.58	22	12	45,479.04	33	8	7	36	51
1,538	112	245	34	510	21	9	4	2,022	136	76,637.15	40	15	94,334.45	24	27	8	69	33
2,771	532	278	23	1,154	30	0	13	4,396	10	84,239.93	17	21	62,055.25	31	7	3	31	26
1,789	458	108	4	426	65	1	1	4,290	13	46,741.85	9	3	40,102.46	19	11	4	31	8
1,181	11,523	40	4	208	8	0	0	152,037	6	14,244.00	11	8	37,562.52	60	22	13	88	39
1,406	22	132	16	549	51	0	0	595	7	66,504.74	8	11	27,334.10	40	26	3	59	32
1,448	715	125	25	423	63	13	1	21,274	150	139,705.64	23	17	39,650.92	18	48	9	91	156
1,500	984	79	25	606	19	36	1	5,753	41	31,613.00	60	27	51,106.69	8	3	1	10	17
1,167	12,000	68	4	354	8	19	0	7,223	89	66,232.38	1	6	16,335.19	18	5	2	21	56
1,466	7,321	374	15	548	53	0	0	12,226	7	92,494.75	8	13	37,825.65	41	20	7	70	8
1,527	0	195	22	446	58	27	2	0	26	97,288.08	14	31	85,221.80	15	25	12	29	21
1,526	2,257	541	8	451	59	10	50	7,024	24	15,118.98	7	11	42,400.69	7	2	0	9	0
2,832	1,089	125	26	349	8	3	13	15,123	26	88,307.29	35	12	72,337.16	26	9	2	26	12
849	0	79	31	480	24	5	4	4,325	69	81,879.75	19	10	57,514.82	14	10	6	52	24
758	265	52	19	252	29	2	0	4,504	0	29,773.50	20	13	28,850.20	131	65	18	223	279
2,134	0	218	42	586	23	1	10	1,505	18	45,584.26	6	17	37,184.62	29	6	4	18	27
1,680	719	183	42	490	9	0	44	2,741	5	78,862.38	4	9	86,518.14	42	76	22	122	61
1,604	0	75	20	536	12	0	11	35,122	65	55,223.84	15	8	50,432.61	2	9	2	18	6
856	80	126	27	478	19	3	11	360	10	56,483.28	27	20	60,836.72	94	20	15	95	195
980	527	104	11	304	38	5	1	4,225	62	138,827.58	22	14	37,453.48	5	1	1	7	3
797	311	68	8	262	26	3	0	1,672	20	31,309.52	14	20	32,654.00	8	18	8	54	54
895	698	28	13	281	17	7	0	3,423	20	27,595.00	1	6	24,816.74	55	10	1	76	13
2,036	1,840	410	40	507	14	1	28	19,250	2	33,445.75	12	14	51,386.31	21	6	2	25	11
922	579	60	12	264	1	2	4	9,082	14	41,369.93	4	11	28,403.25	14	10	8	18	39
1,023	500	180	6	341	13	2	0	6,010	28	75,607.25	7	13	23,895.00	1	0	0	4	0
681	59	93	7	232	6	9	3	223	21	18,399.29	17	13	16,456.00	9	10	3	42	27
955	115	40	0	75	7	3	0	3,894	18	131,821.50	22	10	18,024.65	8	0	0	9	3
436	61	25	3	79	0	5	0	338	13	15,572.00	1	5	8,465.00	0	1	1	11	4
671	0	231	7	224	5	6	0	206	34	71,568.10	13	6	16,454.00	0	0	0	0	2
392	187	40																

COMPARISON OF POPULATION, CASELOAD AND JUDICIAL RESOURCES OF THE DISTRICT COURTS

County	Population		District Courts		District Court Judges		Criminal Complaints		Civil Writs		Criminal Parking Complaints		Assistant Clerks		Court Officers	
	No.	%	No.		No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
Barnstable	126,481	2.0 %	2		4	2%	24,185	4.0 %	2,767	3.0 %	2,758	.25%	4	2.2%	7	3.5%
Berkshire	148,069	3.0 %	6		12	7%	15,641	2.0 %	1,342	1.0 %	7,142	.66%	1	.5%	6	3.0%
Bristol	461,852	8.0 %	4		8	5%	41,305	7.0 %	5,893	6.0 %	17,955	2.0 %	8	4.0%	7	3.5%
Dukes	7,951	.14%	1		2	1%	1,750	.28%	172	.18%	956	.09%	0		1	.5%
Essex	631,627	11.0 %	9		16	9%	59,853	9.0 %	8,098	8.0 %	45,555	4.0 %	17	9.0%	16	8.0%
Franklin	63,420	1.0 %	2		5	3%	7,057	1.0 %	309	.32%	984	.09%	1	.5%	2	1.0%
Hampden	461,659	8.0 %	5		11	7%	49,173	8.0 %	4,291	4.0 %	71,477	7.0 %	12	6.5%	12	6.0%
Hampshire	122,729	2.0 %	2		4	2%	11,416	2.0 %	728	.76%	8,468	1.0 %	3	1.7%	3	1.5%
Middlesex	1,397,524	24.0 %	12		30	18%	149,738	24.0 %	19,634	20.0 %	114,143	11.0 %	38	21.0%	46	23.0%
Nantucket	5,559	.10%	1		2	1%	656	.10%	80	.08%	472	.04%	0		1	.5%
Norfolk	620,346	11.0%	5		10	6%	51,158	8.0 %	8,623	9.0 %	21,352	2.0 %	14	8.0%	14	7.0%
Plymouth	377,500	7.0 %	4		10	6%	42,365	7.0 %	5,064	5.0 %	11,206	1.0 %	10	5.0%	9	4.5%
B.M.C.			1		9	5%	19,234	3.0 %	22,186	23.0 %	478,069	44.0 %	24	13.0%	17	8.5%
Suffolk	724,703	13.0 %	8		21	12%	57,221	9.0 %	8,647	9.0 %	268,165	25.0 %	39	21.0%	40	20.0%
Worcester	640,058	11.0 %	11		25	15%	102,235	16.0 %	8,367	9.0 %	33,747	3.0 %	11	6.0%	19	9.5%
State Total	5,789,478		73		169		632,987		96,201		1,082,449		189*		200*	

* As defined by Mass. Gen. Laws c. 218, § 10 and 62.

This chart contains a brief analysis of three of the more time-consuming categories of entries at the District Court level. The entries of all District Courts within the county (including the Boston Municipal Court in Suffolk County) have been added together to obtain a county total. For example, Middlesex County contains 24% of the state's population and had approximately 24% of the total criminal complaints filed at the District Court level. Suffolk County contains 13% of the population and had a total of 12% of the criminal complaints and 32% of the civil writs. Sixty-nine per cent of the state's total criminal parking complaints (a category which does involve judge time) were filed in Suffolk County; of this 69%, 44% were in the Boston Municipal Court.

This chart also depicts in simplified form the allocation of resources compared to workload in the 14 counties. Some counties suggest no great discrepancy: Middlesex County, for example, has 24% of the population, 24% of the criminal complaints, 20% of the civil writs, 18% of the justices, 21% of the assistant clerks, and 23% of the court officers. Other counties, however, raise questions. Essex, Norfolk and Worcester Counties each have 11% of the population; yet Worcester, with about twice as many criminal complaints and judicial positions as Essex or Norfolk, has fewer assistant clerks and about the same number of court officers. Suffolk County (the Boston Municipal Court plus the eight Suffolk County District Courts) has 13% of the population, 12% of the criminal entries, 32% of the civil writs, 69% of all parking complaints and 17% of the judicial positions, 34% of the assistant clerks and 28% of the court officers. Without carrying to extremes this type of analysis, the chart does reflect some of the inequities inherent in a county-based system of funding the courts. A more flexible system for sharing personnel among the counties would alleviate this problem; some informal arrangements between counties have been used on a cooperative basis in the past with some success.

BOSTON MUNICIPAL COURT

Civil Business

	1974	1975
Actions entered:		
Contract	19,488	20,133
Tort.	1,701	1,162
Contract or Tort	230	240
All Others	632	651
Total Actions Entered.	22,051	22,186
Actions removed to Superior Court:		
Contract	584	497
Tort.	317	256
Contract or Tort	40	63
All Others	8	3
Total Actions Removed.	949	819
Net entries after removals:		
Contract	18,904	19,636
Tort.	1,384	906
Contract or Tort	190	177
All Others	624	648
Total Entries for year (not including small claims, supplementary process and reciprocal support cases)	21,102	21,367
Actions defaulted:		
Contract :	11,969	11,883
Tort.	385	221
Contract or Tort	52	51
All Others	151	174
Total Actions Defaulted	12,557	12,329
Trials:		
Contract	1,515	1,727
Tort.	1,221	610
Contract or Tort	53	105
All Others	147	120
Total Trials	2,936	2,562

Civil Business (continued)

	1974	1975
Supplementary process cases entered	1,417	1,297
Small Claims cases entered	1,770	2,365
Reciprocal support cases entered.	220	187
Total supplementary process, small claims and reciprocal support	3,407	3,849
Total Civil Entries (Civil actions, supplementary process, small claims and reciprocal support)	24,509	25,216
Transferred from Superior Court.	820	734

Criminal Business

	1974	1975
Complaints granted by the Court:		
Automobile Violations	9,884	8,481
Domestic Relations	137	115
Pedestrian Violations.	90	0
* Other Criminal Cases.	9,971	10,638
Total	20,082	19,234
Net Arrested, Pending Trial.	7,433	7,932
Trials by the Court:		
Pleaded Guilty.	6,691	5,386
Pleaded Not Guilty	5,958	5,916
Total	12,649	11,302
Dispositions of complaints tried by the Court:		
Placed on file, dismissed, etc.	2,105	2,340
Defendants Acquitted	1,050	1,167
Bound over to Grand Jury.	671	721
Placed on Probation (not including surrenders).	2,240	1,903
Defendants Fined	5,439	3,616
Fines Appealed	286	273
Imprisonments not Appealed.	135	152
Imprisonments Appealed.	723	1,080
Probation Appealed.	----	20
Imprisonment Probation Appealed	----	17
Finding of Guilty Appealed.	----	13
Total	12,474	11,302

*This category includes the more serious criminal offenses.

Criminal Business (continued)

	1974	1975
Court complaints made concerning parking tags	240,445	478,069
Total Complaints.	260,527	497,303

Cases Processed Under the Uniform Reciprocal Support Act, Chapter 273A For the Period July 1, 1974 through June 30, 1975

Petitions initiated for petitioners residing in Boston (initiating)	12
Petitions received from other states (responding)	175 *
Total petitions processed.	187

Support payments collected by the Probation Department:

For dependents residing in Boston (initiating).	\$29,780.89
For dependents residing in other states (responding).	\$57,332.00
Total collections	\$87,102.89

*139 Petitions forwarded here in error - transferred or redirected to other courts.

BOSTON HOUSING COURT

New Entries

	1974	1975
Criminal Cases.	4,708	4,212
Summary Process Cases.	1,249	1,627
Small Claims	-----	403
Civil Cases.	1,298	1,272
Total of New Entries.	7,255	7,514

HAMPDEN COUNTY HOUSING COURT

New Entries

Criminal Cases.	452	733
Small Claims	371	948
Summary Process Cases.	272	1,140
Total Civil Complaints.	109	284
Total of New Entries.	1,204	3,105

BOSTON JUVENILE COURT

	Boys		Girls		Total	
	1974	1975	1974	1975	1974	1975
Complaints:						
Juvenile						
Juvenile Criminal.	56	59	0	0	56	59
Delinquent	1,972	1,983	555	705	2,527	2,688
CHINS.	81	82	59	70	140	152
Total.	2,109	2,124	614	775	2,723	2,899
Appellate Division						
Care and Protection.	17	25	1	12	18	37
(involving (13) Complaints)						
Delinquency	0	3	0	0	0	3
Total.	17	28	1	12	18	40

	Men		Women		Total	
	1974	1975	1974	1975	1974	1975
Adult.	2	3	2	2	4	5

	No. of Complaints		Number of Children Rept.	
	1974	1975	1974	1975
Children in Need of Care and Protection.	91	99	152	130

Total Number of All Complaints				1974	1975
Juvenile.				2,741	2,915
Adult.				4	5
Children in Need of Care and Protection.				91	99
Total.				2,836	3,019
Judicial Determinations.				12,629	14,891 hearings

* Judicial Determinations: Include all matters concerning all cases that are brought for decision before the Justice of the Court; findings, dispositions, orders and all changes in such cases, such as custody arraignments, surrenders and continuances for case records.

BRISTOL COUNTY JUVENILE COURT

Complaints:	Boys		Girls		Total	
	1974	1975	1974	1975	1974	1975
Juvenile						
Juvenile Criminal.	2	4	0	0	2	4
Delinquent	3,364	3,576	459	440	3,823	4,016
Total	3,366	3,580	459	440	3,825	4,020

	Men		Women		Total	
	1974	1975	1974	1975	1974	1975
Adult.	7	0	16	0	23	0

	Boys		Girls		Total	
	1974	1975	1974	1975	1974	1975
Children in Need of Care and Protection	28	49	15	52	43	101
Children in Need of Services						
Applications	NA	126	NA	155	238	281
Petitions Issued	NA	16	NA	15	48	31
Total	NA	142	NA	170	286	312

Total Number of All Complaints

Juvenile.	3,825	4,020
Adult	23	0
Children in Need of Care and Protection.	43	101
Children in Need of Services	286	312
Total.	4,177	4,433
Judicial Determinations* (CHINS included)	11,567	15,334

* Judicial Determinations: Include all matters concerning all cases that are brought for decision before the Justice of the Court; findings, dispositions, orders and all changes in cases, such as custody arraignments, surrenders and continuances for case records.

SPRINGFIELD JUVENILE COURT

Complaints:	Boys		Girls		Total	
	1974	1975	1974	1975	1974	1975
Juvenile						
Juvenile Criminal	3	7	0	0	3	7
Delinquent	1,641	1,934	220	216	1,861	2,150
CHINS.	42	103	54	102	96	205
Wayward	0	0	0	0	0	0
Total	1,686	2,044	214	318	1,960	2,362

	Men		Women		Total	
	1974	1975	1974	1975	1974	1975
Adult.	12	7	3	5	15	12

	No. of Complaints		Number of Children Rept.	
	1974	1975	1974	1975
Children in Need of Care and Protection.	69	75	142	151

Total Number of All Complaints

	1974	1975
Juvenile	1,861	2,157
Adult.	15	12
Children in Need of Care and Protection.	69	75
CHINS.	96	205
Total	2,041	2,449
Judicial Determinations*.	8,735	8,691

*Judicial Determinations: Include all matters concerning all cases that are brought for decision before the Justice of the Court; findings, dispositions, orders and all charges in in cases, such as custody arraignments, surrenders and continuances for case records.

WORCESTER JUVENILE COURT

Complaints:	Boys		Women		Total	
	1974	1975	1974	1975	1974	1975
Juvenile						
Juvenile Criminal.	21	71	0	0	21	71
Delinquent	2,082	1,868	324	170	2,406	2,038
Wayward	0	0	0	0	0	0
Total	2,103	1,939	324	170	2,427	2,109

	Men		Women		Total	
	1974	1975	1974	1975	1974	1975
Adult.	3	0	5	0	8	0

	Families		Petitions	
	1974	1975	1974	1975
Children in Need of Care and Protection				
Issued July 1, 1974 to June 30, 1975	19	28	43	54
Pending from previous year	33	26	101	57
Totals	52	54	144	111

Total Number of All Complaints				1974	1975
Juvenile Criminal.				21	71
Delinquency				2,406	2,038
Adult.				8	0
Children in Need of Care and Protection.				144	111
Total				2,579	2,220
Judicial Determinations*				7,790	7,620

* Judicial Determinations: Include all matters concerning all cases that are brought for decision before the Justice of the Court; findings, dispositions, orders and all changes in cases, such as custody arraignments, surrenders and continuances for case records.

